00025982

BOMBAY BRANCH
OF THE
ROYAL ASIATIC SOCIETY.
TOWN HALL, BOMBAY.

Digitized with financial assistance from the
Government of Maharashtra
on 04 February, 2016

THE LIFE OF SIR MATTHEW HALE

BY

BISHOP BURNET.

LONDON;
PRINTED FOR W. PICKERING,
31 LINCOLN'S INN FIELDS.
MDCCCXX.

LIVES

OF

SIR MATTHEW HALE

AND

JOHN EARL OF ROCHESTER,

BY GILBERT BURNET, D. D.

LORD BISHOP OF SALISBURY.

251

33. l.

F.C.
1814170

LONDON:
WILLIAM PICKERING,
MDCCCXXIX.

923.442
Had | Hist | Liv
25982

LONDON:

PRINTED BY S. AND R. BENTLEY,

Dorset Street, Fleet Street.

PREFACE.

To a new edition of a work that has received the approbation of the public for more than a century, and which still retains its popularity, it would be impertinent to prefix any recommendatory observations. The only superiority which the present impression claims, consists in the accuracy of the text, and in its typographical neatness: to the life of Hale, however, a correct list of his publications has been added.

Few pieces of biography are so interesting as the Memoirs of Sir Matthew Hale and the Earl of Rochester. Their lives form a striking contrast, and are admirably calculated to enforce the lessons of the moralist. In Hale, we contemplate a man rising from obscurity to distinction by the exertion of his own talents; dignifying by his virtues the

elevated station which he attained; and, from a firm reliance on the truths of Revelation, closing a long and honourable life without regret for the past, or fears for the future. In Rochester, a person born to the highest honours and possessed of a splendid fortune, disgracing the one and squandering the other, by a career of uninterrupted vice: a professed atheist, and the scoffer at every thing that is sacred and good; prostituting the finest talents to the worst purposes; and, with a mind as diseased as his body, terminating a short and disgraceful existence on a death-bed of agony and terror; an object of compassion to the virtuous,--a beacon to the profligate and wicked.

The touching simplicity with which their stories are told by Bishop Burnet, accounts for the esteem in which they are held as compositions; whilst the practical inferences which he draws, the unaffected tone of piety that is every where conspicuous, and the fact, that he is not only the biographer of the unfortunate Rochester, but was the divine who

soothed the remorse with which he was at length visited, and brightened his last moments by teaching him to hope beyond the grave, impart to his narrative an interest which has seldom been exceeded; and render these Memoirs the most instructive and delightful, that have ever been written.

October 20, 1828.

THE

LIFE

OF

SIR MATTHEW HALE.

THE PREFACE.

No part of history is more instructive and delighting than the lives of great and worthy men: the shortness of them invites many readers, and there are such little and yet remarkable passages in them, too inconsiderable to be put in a general history of the age in which they lived, that all people are very desirous to know them. This makes Plutarch's Lives be more generally read than any of all the books which the ancient Greeks or Romans wrote.

But the lives of heroes and princes are commonly filled with the account of the great things done by them, which do rather belong to a general, than a particular history; and do rather amuse the reader's fancy with a splendid show of greatness, than offer him what is really so useful to himself. And, indeed, the lives of princes are either written with so much flattery, by those who intended to merit by it at their own hands, or others concerned in them; or with so much spite, by those who, being ill used by them, have re-

venged themselves on their memory; that there is not much to be built on them. And though the ill nature of many makes what is satirically written to be generally more read and believed, than when the flattery is visible and coarse, yet certainly resentment may make the writer corrupt the truth of history, as much as interest. And since all men have their blind sides, and commit errors, he that will industriously lay these together, leaving out, or but slightly touching what should be set against them to balance them, may make a very good man appear in very bad colours. So, upon the whole matter, there is not that reason to expect either much truth, or great instruction, from what is written concerning heroes or princes; for few have been able to imitate the patterns Suetonius set the world in writing the Lives of the Roman Emperors with the same freedom that they had led them. But the lives of private men, though they seldom entertain the reader with such a variety of passages as the other do, yet certainly they offer him things that are more imitable, and do present wisdom and virtue to him, not only in a fair idea, which is often looked on as a piece of the invention or fancy of the writer, but in such plain and familiar instances as do both direct him better, and persuade

him more; and there are not such temptations to bias those who write them, so that we may generally depend more on the truth of such relations as are given in them.

In the age in which we live, religion and virtue have been proposed and defended with such advantages, with that great force of reason, and those persuasions, that they can hardly be matched in former times; yet, after all this, there are but few much wrought on by them, which perhaps flows from this, among other reasons, that there are not so many excellent patterns set out, as might, both in a shorter and more effectual manner, recommend that to the world which discourses do but coldly; the wit and style of the writer being more considered than the argument which they handle; and therefore the proposing virtue and religion in such a model, may perhaps operate more than the perspective of it can do; and for the history of learning, nothing does so preserve and improve it as the writing the lives of those who have been eminent in it.

There is no book the ancients have left us which might have informed us more than Diogenes Laertius's Lives of the Philosophers, if he had had the art of writing equal to that great subject which he undertook; for if he

had given the world such an account of them as Gassendus has done of Peiresk, how great a stock of knowledge might we have had, which by his unskilfulness is in a great measure lost, since we must now depend only on him, because we have no other or better author that has written on that argument.

For many ages there were no lives written but by monks, through whose writings there runs such an incurable humour of telling incredible and inimitable passages, that little in them can be believed or proposed as a pattern: Sulpitius Severus, and Jerome, showed too much credulity in the lives they wrote, and raised Martin and Hilarion beyond what can be reasonably believed; after them, Socrates, Theodoret, Sozomen, and Palladius took a pleasure to tell uncouth stories of the monks of Thebaïs, and Nitria; and those who came after them scorned to fall short of them, but raised their saints above those of former ages, so that one would have thought that indecent way of writing could rise no higher; and this humour infected even those who had otherwise a good sense of things, and a just apprehension of mankind, as may appear in Matthew Paris, who though he was a writer of great judgment and fidelity, yet he has corrupted his history with much of

that alloy. But when emulation and envy arose among the several orders or houses, then they improved in that art of making romances, instead of writing lives, to that pitch, that the world became generally much scandalized with them. The Franciscans and Dominicans tried who could say the most extravagant things of the founders, or other saints, of their orders; and the Benedictines, who thought themselves possessed of the belief of the world, as well as of its wealth, endeavoured all that was possible still to keep up the dignity of their order, by outlying the others all they could; and whereas here or there a miracle, a vision, or trance, might have occurred in the lives of former saints, now every page was full of those wonderful things.

Nor has the humour of writing in such a manner been quite laid down in this age, though more awakened and better enlightened, as appears in the Life of Philip Nerius, and a great many more. And the Jesuits at Antwerp are now taking care to load the world with a vast and voluminous collection of all those lives, that has already swelled to eleven volumes in folio, in a small print, and yet being digested according to the calendar, they have yet but ended the month of April. The Life of Monsieur Renty is written in another

manner, where there are so many excellent passages, that he is justly to be reckoned amongst the greatest patterns that France has afforded in this age.

But whilst some have nourished infidelity, and a scorn of all sacred things, by writing of those good men in such a strain, as makes not only what is so related to be disbelieved, but creates a distrust of the authentic writings of our most holy faith; others have fallen into another extreme in writing lives too jejunely, swelling them up with trifling accounts of the childhood and education, and the domestic or private affairs of those persons of whom they write, in which the world is little concerned; by these they become so flat, that few care to read them, for certainly those transactions are only fit to be delivered to posterity that may carry with them some useful piece of knowledge to after-times.

I have now an argument before me, which will afford indeed only a short history, but will contain in it as great a character, as perhaps can be given of any in this age, since there are few instances of more knowledge and greater virtues meeting in one person. I am upon one account, besides many more, unfit to undertake it, because I was not at all known to him, so I can say nothing from my own

observation; but upon second thoughts I do not know whether this may not qualify me to write more impartially, though perhaps more defectively; for the knowledge of extraordinary persons does most commonly bias those who were much wrought on by the tenderness of their friendship for them, to raise their style a little too high when they write concerning them. I confess I knew him as much as the looking often upon him could amount to. The last year of his being in London, he came always on Sundays, when he could go abroad, to the chapel of the Rolls, where I then preached: In my life I never saw so much gravity, tempered with that sweetness, and set off with so much vivacity, as appeared in his looks and behaviour, which disposed me to a veneration for him, which I never had for any with whom I was not acquainted. I was seeking an opportunity of being admitted to his conversation; but I understood that, between a great want of health, and a multiplicity of business, which his employment brought upon him, he was master of so little of his time, that I stood in doubt whether I might presume to rob him of any of it; and so he left the town before I could resolve on desiring to be known to him.

My ignorance of the law of England made

me also unfit to write of a man, a great part of whose character, as to his learning, is to be taken from his skill in the common law, and his performance in that. But I shall leave that to those of the same robe; since if I engaged much in it, I must needs commit many errors, writing of a subject that is foreign to me.

The occasion of my undertaking this was given me by the earnest desires of some that have great power over me, who, having been much obliged by him, and holding his memory in high estimation, thought I might do it some right by writing his life; I was then engaged in the History of the Reformation, so I promised that, as soon as that was over, I would make the best use I could of such informations and memorials as should be brought me.

This I have now performed in the best manner I could, and have brought into method all the parcels of his life, or the branches of his character, which I could either gather from the informations that were brought me, or from those that were familiarly acquainted with him, or from his writings. I have not applied any of the false colours with which art, or some forced eloquence might furnish me in writing concerning him; but have en-

deavoured to set him out in the same simplicity in which he lived. I have said little of his domestic concerns, since though in these he was a great example, yet it signifies nothing to the world, to know any particular exercises that might be given to his patience, and therefore I shall draw a veil over all these, and shall avoid saying any thing of him but what may afford the reader some profitable instruction. I am under no temptations of saying any thing but what I am persuaded is exactly true; for where there is so much excellent truth to be told, it were an inexcusable fault to corrupt that, or prejudice the reader against it by the mixture of falsehoods with it.

In short, as he was a great example while he lived, so I wish the setting him thus out to posterity, in his own true and native colours, may have its due influence on all persons, but more particularly on those of that profession whom it more immediately concerns, whether on the bench or at the bar.

THE

LIFE

OF

SIR MATTHEW HALE.

MATTHEW HALE was born at Alderley in Gloucestershire, the 1st of November, 1609. His grandfather was Robert Hale, an eminent clothier at Wotton-under-Edge, in that county, where he and his ancestors had lived for many descents; and they had given several parcels of land for the use of the poor, which are enjoyed by them to this day. This Robert acquired an estate of ten thousand pounds, which he divided almost equally amongst his five sons, besides the portions he gave his daughters, from whom a numerous posterity has sprung. His second son was Robert Hale, a barrister of Lincoln's-inn; he married Joan, the daughter of Matthew Poyntz, of Alderley, Esq. who was descended

from that noble family of the Poyntz's of Acton: of this marriage there was no other issue but this one son. His grandfather, by his mother, was his godfather, and gave him his own name at his baptism. His father was a man of that strictness of conscience, that he gave over the practice of the law, because he could not understand the reason of giving colour in pleadings, which, as he thought, was to tell a lie; and that, with some other things commonly practised, seemed to him contrary to that exactness of truth and justice which became a Christian; so that he withdrew himself from the inns of court to live on his estate in the country. Of this I was informed by an ancient gentleman that lived in a friendship with his son for fifty years, and he heard Judge Jones, who was Mr. Hale's contemporary, declare this in the King's Bench. But as the care he had to save his soul made him abandon a profession in which he might have raised his family much higher, so his charity to his poor neighbours made him not only deal his alms largely among th while he lived, but at his death, in 1614, he left out of his small estate, which was but 100*l.* a year, 20*l.* a-year to the poor of Wotton, which his son confirmed to them with some addition, and with this regulation, that it

should be distributed among such poor housekeepers as did not receive the alms of the parish; for to give it to those, was only, as he used to say, to save so much money to the rich, who by law were bound to relieve the poor of the parish.

Thus he was descended rather from a good than a noble family, and yet what was wanting in the insignificant titles of high birth and noble blood, was more than made up in the true worth of his ancestors. But he was soon deprived of the happiness of his father's care and instruction, for as he lost his mother before he was three years old, so his father died before he was five; so early was he cast on the providence of God. But that unhappiness was in a great measure made up to him: for after some opposition made by Mr. Thomas Poyntz, his uncle by his mother, he was committed to the care of Anthony Kingscot, of Kingscot, Esq. who was his next kinsman after his uncles by his mother.

Great care was taken of his education, and his guardian intended to breed him to be a divine, and being inclined to the way of those then called Puritans, put him to some schools that were taught by those of that party, and in 1626, in the seventeenth year of his age, sent him to Magdalen Hall in Oxford, where

Obadiah Sedgwick was his tutor. He was an extraordinary proficient at school, and for some time at Oxford; but the stage-players coming thither, he was so much corrupted by seeing many plays, that he almost wholly forsook his studies. By this he not only lost much time, but found that his head came to be thereby filled with such vain images of things, that they were at best unprofitable, if not hurtful to him; and being afterwards sensible of the mischief of this, he resolved, upon his coming to London, where he knew the opportunities of such sights would be more frequent and inviting, never to see a play again, to which he constantly adhered.

The corruption of a young man's mind in one particular, generally draws on a great many more after it; so he being now taken off from following his studies, and from the gravity of his deportment, that was formerly eminent in him, far beyond his years, set himself to many of the vanities incident to youth, but still preserved his purity, and a great probity of mind. He loved fine clothes, and delighted much in company; and being of a strong, robust body, he was a great master at all those exercises that required much strength. He also learned to fence, and handle his weapons, in which he became so

expert, that he worsted many of the masters of those arts: but as he was exercising himself in them, an instance appeared that showed a good judgment, and gave some hopes of better things. One of his masters told him he could teach him no more, for he was now better at his own trade than himself was. This Mr. Hale looked on as flattery; so, to make the master discover himself, he promised him the house he lived in, for he was his tenant, if he could hit him a blow on the head; and bade him do his best, for he would be as good as his word: so after a little engagement, his master, being really superior to him, hit him on the head, and he performed his promise, for he gave him the house freely; and was not unwilling at that rate to learn so early to distinguish flattery from plain and simple truth.

He was now so taken up with martial matters, that, instead of going on in his design of being a scholar or a divine, he resolved to be a soldier; and his tutor Sedgwick going into the Low Countries, chaplain to the renowned Lord Vere, he resolved to go along with him, and to trail a pike in the Prince of Orange's army; but a happy stop was put to this resolution, which might have proved so fatal to himself, and have deprived the age

of the great example he gave, and the useful services he afterwards did his country. He was engaged in a suit of law with Sir William Whitmore, who laid claim to some part of his estate; and his guardian being a man of a retired temper, and not made for business, he was forced to leave the university, after he had been three years in it, and go to London to solicit his own business, being recommended to Serjeant Glanvil for his counsellor; and he, observing in him a clear apprehension of things, and a solid judgment, and a great fitness for the study of the law, took pains upon him to persuade him to forsake his thoughts of being a soldier, and to apply himself to the study of the law: and this had so good an effect on him, that on the 8th of November, 1629, when he was past the twentieth year of his age, he was admitted into Lincoln's-inn; and being then deeply sensible how much time he had lost, and that idle and vain things had overrun and almost corrupted his mind, he resolved to redeem the time he had lost, and followed his studies with a diligence that could scarcely be believed, if the signal effects of it did not gain it credit. He studied for many years at the rate of sixteen hours a-day: he threw aside all fine clothes, and betook him-

self to a plain fashion, which he continued to use, in many points, to his dying day.

But since the honour of reclaiming him from the idleness of his former course of life is due to the memory of that eminent lawyer Serjeant Glanvil, and since my design in writing is to propose a pattern of heroic virtue to the world, I shall mention one passage of the Serjeant which ought never to be forgotten. His father had a fair estate, which he intended to settle on his elder brother; but he being a vicious young man, and there appearing no hopes of his recovery, he settled it on him, that was his second son. Upon his death, his eldest son, finding that what he had before looked on as the threatenings of an angry father, was now but too certain, became melancholy, and that by degrees wrought so great a change on him, that what his father could not prevail in while he lived, was now effected by the severity of his last will, so that it was now too late for him to change in hopes of an estate that was gone from him. But his brother, observing the reality of the change, resolved within himself what to do: so he called him with many of his friends together to a feast, and after other dishes had been served up to the dinner, he ordered one that was covered to

be set before his brother, and desired him to uncover it; which he doing, the company was surprised to find it full of writings. So he told them, that he was now to do what he was sure his father would have done, if he had lived to see that happy change which they now all saw in his brother; and therefore he freely restored to him the whole estate. This is so great an instance of a generous and just disposition, that I hope the reader will easily pardon this digression, and that the rather since that worthy serjeant was so instrumental in the happy change that followed in the course of Mr. Hale's life.

Yet he did not at first break off from keeping too much company with some vain people, till a sad accident drove him from it; for he, with some other young students, being invited to be merry out of town, one of the company called for so much wine, that notwithstanding all that Mr. Hale could do to prevent it, he went on in his excess till he fell down as dead before them, so that all that were present were not a little affrighted at it, who did what they could to bring him to himself again. This did particularly affect Mr. Hale, who thereupon went into another room, and, shutting the door, fell on his knees, and

prayed earnestly to God, both for his friend that he might be restored to life again, and that himself might be forgiven for giving such countenance to so much excess: and he vowed to God, that he would never again keep company in that manner, nor drink a health while he lived. His friend recovered, and he most religiously observed his vow till his dying day. And though he was afterwards pressed to drink healths, particularly the King's, which was set up by too many as a distinguishing mark of loyalty, and drew many into great excess after his majesty's happy restoration; yet he would never dispense with his vow, though he was sometimes roughly treated for this, which some hot and indiscreet men called obstinacy.

This wrought an entire change on him. Now he forsook all vain company, and divided himself between the duties of religion and the studies of his profession; in the former he was so regular, that for six and thirty years' time he never once failed going to church on the Lord's-day: this observation he made when an ague first interrupted that constant course; and he reflected on it, as an acknowledgment of God's great goodness to him, in so long a continuance of his health.

He took a strict account of his time, of

which the reader will best judge by the scheme he drew for a diary, which I shall insert copied from the original; but I am not certain when he made it. It is set down in the same simplicity in which he wrote it for his own private use.

MORNING.

I. To lift up the heart to God in thankfulness for renewing my life.

II. To renew my covenant with God in Christ. 1. By renewed acts of faith receiving Christ, and rejoicing in the height of that relation. 2. Resolution of being one of his people, doing him allegiance.

III. Adoration and prayer.

IV. Setting a watch over my own infirmities and passions, over the snares laid in our way. *Perimus licitis.*

DAY EMPLOYMENT.

There must be an employment, two kinds.

I. Our ordinary calling, to serve God in it. It is a service to Christ, though never so mean—Coloss. 3. Here faithfulness, diligence, cheerfulness. Not to overlay myself with more business than I can bear.

II. Our spiritual employments: mingle somewhat of God's immediate service in this day.

REFRESHMENTS.

I. Meat and drink, moderation seasoned with somewhat of God.

II. Recreations. 1. Not our business. 2. Suitable. No games, if given to covetousness or passion.

IF ALONE.

I. Beware of wandering, vain, lustful thoughts; fly from thyself rather than entertain these.

II. Let thy solitary thoughts be profitable; view the evidences of thy salvation, the state of thy soul, the coming of Christ, thy own mortality, it will make thee humble and watchful.

COMPANY.

Do good to them. Use God's name reverently. Beware of leaving an ill impression of ill example. Receive good from them, if more knowing.

EVENING.

Cast up the accounts of the day. If aught amiss, beg pardon. Gather resolution of more vigilance. If well, bless the mercy and grace of God that hath supported thee.

These notes have an imperfection in the wording of them, which shows they were only intended for his privacies. No wonder a man

who set such rules to himself, became quickly very eminent and remarkable.

Noy, the attorney-general, being then one of the greatest men of the profession, took early notice of him, and called often for him, and directed him in his study, and grew to have such friendship for him, that he came to be called "Young Noy." He, passing from the extreme of vanity in his apparel, to that of neglecting himself too much, was once taken when there was a press for the king's service, as a fit person for it; for he was a strong and well-built man. But some that knew him coming by, and giving notice who he was, the press-men let him go. This made him return to more decency in his clothes, but never to any superfluity or vanity in them.

Once, as he was buying some cloth for a new suit, the draper with whom he differed about the price, told him he should have it for nothing, if he would promise him a hundred pounds when he came to be lord chief justice of England; to which he answered, "That he could not with a good conscience wear any man's cloth unless he paid for it;" so he satisfied the draper, and carried away the cloth. Yet that same draper lived to see him advanced to that same dignity.

While he was thus improving himself in the

study of the law, he not only kept the hours of the hall constantly in term-time, but seldom put himself out of commons in vacation-time, and continued then to follow his studies with an unwearied diligence; and, not being satisfied with the books written about it, or to take things upon trust, was very diligent in searching all records. Then did he make divers collections out of the books he had read, and, mixing them with his own observations, digested them into a common-place book; which he did with so much industry and judgment, that an eminent judge of the King's Bench borrowed it of him when he was lord chief baron. He unwillingly lent it, because it had been written by him before he was called to the bar, and had never been thoroughly revised by him since that time; only what alterations had been made in the law by subsequent statutes and judgments, were added by him as they had happened; but the judge having perused it said, that though it was composed by him so early, he did not think any lawyer in England could do it better, except he himself would again set about it.

He was soon found out by that great and learned antiquary Mr. Selden, who, though much superior to him in years, yet came to have such a liking of him, and of Mr. Vaughan

who was afterwards lord chief justice of the Common Pleas, that as he continued in a close friendship with them while he lived, so he left them, at his death, two of his four executors.

It was this acquaintance that first set Mr. Hale on a more enlarged pursuit of learning, which he had before confined to his own profession; but, becoming as great a master in it as ever any was very soon, he who could never let any of his time go away unprofitably, found leisure to attain to as great a variety of knowledge in as comprehensive a manner as most men have done in any age.

He set himself much to the study of the Roman law, and though he liked the way of judicature in England by juries much better than that of the civil law, where so much was trusted to the judge, yet he often said, that the true grounds and reasons of law were so well delivered in the Digests, that a man could never understand law as a science so well as by seeking it there, and therefore lamented much that it was so little studied in England.

He looked on readiness in arithmetic as a thing which might be useful to him in his own employment; and acquired it to such a degree, that he would often on a sudden, and afterwards on the Bench, resolve very hard questions, which had puzzled the best account-

ants about town. He rested not here, but studied the algebra both speciosa and numerosa, and went through all the other mathematical sciences, and made a great collection of very excellent instruments, sparing no cost to have them as exact as art could make them. He was also very conversant in philosophical learning, and in all the curious experiments and rare discoveries of this age: and had the new books written on those subjects sent him from all parts, which he both read and examined so critically, that if the principles and hypotheses which he took first up did any way prepossess him: yet those who have differed most from him have acknowledged, that in what he has written concerning the Torricellian experiment, and of the rarefaction and condensation of the air, he shows as great an exactness, and as much subtilty in the reasoning he builds on them, as those principles to which he adhered could bear: But indeed it will seem scarcely credible, that a man so much employed, and of so severe a temper of mind, could find leisure to read, observe, and write so much of these subjects as he did. He called them his diversions; for he often said, when he was weary with the study of the law or divinity, he used to recreate himself with philosophy or the mathe-

matics. To these he added great skill in physic, anatomy, and chirurgery. And he used to say, no man could be absolutely a master in any profession, without having some skill in other sciences; for besides the satisfaction he had in the knowledge of these things, he made use of them often in his employments. In some examinations he would put such questions to physicians or chirurgeons, that they have professed the College of Physicians could not do it more exactly; by which he discovered great judgment as well as much knowledge in these things. And in his sickness he used to argue with his doctors about his distempers, and the methods they took with them, like one of their own profession; which one of them told me he understood as far as speculation without practice could carry him.

To this he added great searches into ancient history, and particularly into the roughest and least delightful part of it, chronology. He was well acquainted with the ancient Greek philosophers, but want of occasion to use it wore out his knowledge of the Greek tongue; and though he never studied the Hebrew tongue, yet by his great conversation with Selden, he understood the most curious things in the Rabbinical learning.

But above all these, he seemed to have made the study of divinity the chief of all others, to which he not only directed every thing else, but also arrived at that pitch in it, that those who have read what he has written on these subjects, will think they must have had most of his time and thoughts. It may seem extravagant, and almost incredible, that one man in no great compass of years should have acquired such a variety of knowledge, and that in sciences that require much leisure and application. But as his parts were quick and his apprehensions lively, his memory great and his judgments strong, so his industry was almost indefatigable. He rose always betimes in the morning, was never idle, scarcely ever held any discourse about news, except with some few in whom he confided entirely. He entered into no correspondence by letters, except about necessary business, or matters of learning, and spent very little time in eating and drinking; for as he never went to public feasts, so he gave no entertainments but to the poor; for he followed our Saviour's direction, of feasting none but these, literally: and in eating and drinking, he observed not only great plainness and moderation, but lived so philosophically, that he always ended his meal with an appetite; so

that he lost little time at it (that being the only portion which he grudged himself), and was disposed to any exercise of his mind to which he thought fit to apply himself, immediately after he had dined. By these means he gained much time, that is otherwise unprofitably wasted.

He had also an admirable equality in the temper of his mind, which disposed him for whatever studies he thought fit to turn himself to; and some very uneasy things which he lay under for many years, did rather engage him to, than distract him from his studies.

When he was called to the bar, and began to make a figure in the world, the late unhappy wars broke out, in which it was no easy thing for a man to preserve his integrity, and to live securely, free from great danger and trouble. He had read the life of Pomponius Atticus, written by Nepos; and having observed, that he had passed through a time of as much distraction, as ever was in any age or state, from the wars of Marius and Sylla to the beginnings of Augustus's reign, without the least blemish on his reputation, and free from any considerable danger, being held in great esteem by all parties, and courted and favoured by them, he set him as a pattern to himself: and observing, that, besides those

virtues which are necessary to all men, and at all times, there were two things that chiefly preserved Atticus; the one was his engaging in no faction, and meddling in no public business; the other was his constant favouring and relieving those that were lowest, which was ascribed by such as prevailed to the generosity of his temper, and procured him much kindness from those on whom he had exercised his bounty, when it came to their turn to govern; he resolved to guide himself by those rules as much as was possible for him to do.

He not only avoided all public employment, but the very talking of news, and was always both favourable and charitable to those who were depressed, and was sure never to provoke any in particular, by censuring or reflecting on their actions; for many that have conversed much with him, have told me they never heard him once speak ill of any person.

He was employed in his practice by all the king's party: he was assigned counsel to the Earl of Strafford, and Archbishop Laud, and afterwards to the blessed King himself, when brought to the infamous pageantry of a mock-trial, and offered to plead for him with all the courage that so glorious a cause ought to have inspired him with, but was not suffered

to appear, because, the King refusing, as he had good reason, to submit to the court, it was pretended none could be admitted to speak for him. He was also counsel for the Duke of Hamilton, the Earl of Holland, and the Lord Capel: his plea for the former of these I have published in the memoirs of that duke's life. Afterwards also being counsel for the Lord Craven, he pleaded with that force of argument, that the then attorney-general threatened him for appearing against the government: to whom he answered, he was pleading in defence of those laws which they declared they would maintain and preserve, and he was doing his duty to his client, so that he was not to be daunted with threatenings.

Upon all these occasions he had discharged himself with so much learning, fidelity, and courage, that he came to be generally employed for all that party; nor was he satisfied to appear for their just defence in the way of his profession, but he also relieved them often in their necessities; which he did in a way that was no less prudent than charitable, considering the dangers of that time: for he did often deposit considerable sums in the hands of a worthy gentleman of the king's party, who knew their necessities well, and

was to distribute his charity according to his own discretion, without either letting them know from whence it came, or giving himself any account to whom he had given it.

Cromwell seeing him possessed of so much practice, and he being one of the most eminent men of the law, who was not at all afraid of doing his duty in those critical times, resolved to take him off from it, and raise him to the bench.

Mr. Hale saw well enough the snare laid for him, and though he did not much consider the prejudice it would be to himself, to exchange the easy and safer profits he had by his practice, for a judge's place in the Common Pleas, which he was required to accept of, yet he did deliberate more on the lawfulness of taking a commission from usurpers; but, having considered well of this, he came to be of opinion, that it being absolutely necessary to have justice and property kept up at all times, it was no sin to take a commission from usurpers, if he made no declaration of his acknowledging their authority, which he never did: he was much urged to accept of it by some eminent men of his own profession, who were of the king's party, as Sir Orlando Bridgeman, and Sir Geoffrey Palmer; and was also satisfied concerning the lawful-

ness of it, by the resolution of some famous divines, in particular Dr. Sheldon, and Dr. Henchman, who were afterwards promoted to the sees of Canterbury and London.

To these were added the importunities of all his friends, who thought that, in a time of so much danger and oppression, it might be no small security to the nation, to have a man of his integrity and abilities on the bench: and the usurpers themselves held him in that estimation, that they were glad to have him give a countenance to their courts; and, by promoting one that was known to have different principles from them, affected the reputation of honouring and trusting men of eminent virtues, of what persuasion soever they might be in relation to public matters.

But he had greater scruples concerning the proceeding against felons, and putting offenders to death by that commission, since he thought, the sword of justice belonging only by right to the lawful prince, it seemed not warrantable to proceed to a capital sentence by an authority derived from usurpers; yet at first he made distinction between common and ordinary felonies, and offences against the state: for the last, he would never meddle in them; for he thought these might be often legal and warrantable actions, and that the

putting men to death on that account was murder; but for the ordinary felonies, he at first was of opinion that it was as necessary even in times of usurpation to execute justice in those cases, as in the matters of property. But after the King was murdered, he laid by all his collections of the pleas of the crown; and that they might not fall into ill hands, he hid them behind the wainscotting of his study, for he said there was no more occasion to use them, till the King should be again restored to his right; and so upon his majesty's restoration he took them out, and went on in his design to perfect that great work.

Yet for some time after he was made a judge, when he went the circuit, he did sit on the crown side, and judged criminals; but having considered farther of it, he came to think that it was at least better not to do it; and so after the second or third circuit, he refused to sit any more on the crown side, and told plainly the reason, for in matters of blood he was always to choose the safer side: and indeed he had so carried himself in some trials, that they were not unwilling he should withdraw from meddling farther in them, of which I shall give some instances.

Not long after he was made a judge, which was in the year 1653, when he went the cir-

cuit, a trial was brought before him at Lincoln, concerning the murder of one of the townsmen, who had been of the king's party, and was killed by a soldier of the garrison there. He was in the fields with a fowling-piece on his shoulder, which the soldier seeing, he came to him and said, it was contrary to an order which the Protector had made, That none who had been of the king's party should carry arms, and so he would have forced it from him; but as the other did not regard the order, so being stronger than the soldier, he threw him down, and having beat him, he left him: the soldier went into the town, and told one of his fellow-soldiers how he had been used, and got him to go with him, and lie in wait for the man that he might be revenged on him. They both watched his coming to town, and one of them went to him to demand his gun, which he refusing, the soldier struck at him, and as they were struggling, the other came behind, and ran his sword into his body, of which he presently died. It was in the time of the assizes, so they were both tried: against the one there was no evidence of forethought felony, so he was only found guilty of manslaughter, and burnt in the hand; but the other was found guilty of murder: and

though Colonel Whaley, who commanded the garrison, came into the court and urged that the man was killed only for disobeying the Protector's orders, and that the soldier was but doing his duty; yet the judge regarded both his reasons and threatenings very little, and therefore he not only gave sentence against him, but ordered the execution to be so suddenly done, that it might not be possible to procure a reprieve, which he believed would have been obtained, if there had been time enough granted for it.

Another occasion was given him of showing both his justice and courage, when he was in another circuit: he understood that the Protector had ordered a jury to be returned for a trial in which he was more than ordinarily concerned: upon this information, he examined the sheriff about it, who knew nothing of it, for he said he referred all such things to the under-sheriff, and having next asked the under-sheriff concerning it, he found the jury had been returned by order from Cromwell: upon which he showed the statute, that all juries ought to be returned by the sheriff, or his lawful officer; and this not being done according to law, he dismissed the jury, and would not try the cause: upon which the Protector was highly displeased

with him, and at his return from the circuit, he told him in anger he was not fit to be a judge; to which all the answer he made was, that it was very true.

Another thing met him in the circuit, upon which he resolved to have proceeded severely: some anabaptists had rushed into a church, and had disturbed a congregation while they were receiving the sacrament, not without some violence; at this he was highly offended, for he said it was intolerable for men who pretended so highly to liberty of conscience, to go and disturb others; especially those who had the encouragement of the law on their side: but these were so supported by some great magistrates and officers, that a stop was put to his proceedings; upon which he declared he would meddle no more with the trials on the crown side.

When Penruddock's trial was brought on, there was a special messenger sent to him requiring him to assist at it. It was in vacation time, and he was at his country-house at Alderley. He plainly refused to go, and said the four terms and two circuits were enough, and the little interval that was between was little enough for their private affairs, and so he excused himself: he thought it was not necessary to speak more clearly, but if he had

been urged to it, he would not have been afraid of doing it.

He was at that time chosen a parliament man, for there being then no House of Lords, judges might have been chosen to sit in the House of Commons; and he went to it, on design to obstruct the mad and wicked projects then on foot, by two parties that had very different principles and ends.

On the one hand, some that were perhaps more sincere, yet were really brain-sick, designed they knew not what, being resolved to pull down a standing ministry, the law and property of England, and all the ancient rules of this government, and set up in its room an indigested enthusiastical scheme, which they called the kingdom of Christ, or of his saints; many of them being really in expectation that one day or another Christ would come down and sit among them, and at least they thought to begin the glorious thousand years mentioned in the Revelation.

Others at the same time, taking advantages from the fears and apprehensions that all the sober men of the nation were in, lest they should fall under the tyranny of a distracted sort of people, who to all their other ill principles added great cruelty, which they had copied from those at Munster in the former

age, intended to improve that opportunity to raise their own fortunes and families. Amidst these, judge Hale steered a middle course; for as he would engage for neither side, so he with a great many more worthy men came to parliaments, more out of a design to hinder mischief, than to do much good; wisely foreseeing, that the inclinations for the royal family were daily growing so much, that in time the disorders then in agitation would ferment to that happy resolution in which they determined in May 1660. And therefore all that could be then done was, to oppose the ill designs of both parties, the enthusiasts as well as the usurpers. Among the other extravagant motions made in this parliament, one was, to destroy all the records in the Tower, and to settle the nation on a new foundation; so he took this province to himself, to show the madness of this proposition, the injustice of it, and the mischiefs that would follow on it; and did it with such clearness, and strength of reason, as not only satisfied all sober persons, for it may be supposed that was soon done, but stopped even the mouths of the frantic people themselves.

Thus he continued administering justice till the Protector died; but then he both refused the mournings that were sent to him and his

servants for the funeral, and likewise to accept of the new commission that was offered him by Richard; and when the rest of the judges urged it upon him, and employed others to press him to accept of it, he rejected all their importunities, and said he could act no longer under such authority.

He lived a private man till the parliament met that called home the King, to which he was returned knight of the shire from the county of Gloucester. It appeared at that time how much he was beloved and esteemed in his neighbourhood; for, though another who stood in competition with him had spent near a thousand pounds to procure voices, a great sum to be employed that way in those days, and he had been at no cost, and was so far from soliciting it, that he had stood out long against those who pressed him to appear, and he did not promise to appear till three days before the election, yet he was preferred. He was brought thither almost by violence, by the Lord now Earl of Berkeley, who bore all the charge of the entertainments on the day of his election, which was considerable, and had engaged all his friends and interest for him: and whereas by the writ, the knight of a shire must be *miles gladio cinctus*, and he had no sword, that noble lord girt him

with his own sword during the election, but he was soon weary of it, for the embroidery of the belt did not suit well with the plainness of his clothes: and indeed the election did not hold long, for as soon as ever he came into the field, he was chosen by much the greater number, though the poll continued for three or four days.

In that parliament he bore his share, in the happy period then put to the confusions that threatened the utter ruin of the nation, which, contrary to the expectations of the most sanguine, settled in so serene and quiet a manner, that those who had formerly built so much on their success, calling it an answer from heaven to their solemn appeals to the providence of God, were now not a little confounded, to see all this turned against themselves, in an instance much more extraordinary than any of those were upon which they had built so much. His great prudence and excellent temper led him to think, that the sooner an act of indemnity were passed, and the fuller it were of graces and favours, it would sooner settle the nation, and quiet the minds of the people; and therefore he applied himself with a particular care to the framing and carrying it on: in which it was visible he had no concern

of his own, but merely his love of the public that set him on to it.

Soon after this, when the courts in Westminster Hall came to be settled, he was made lord chief baron, in November; and when the Earl of Clarendon, then lord chancellor, delivered him his commission, in the speech he made according to the custom on such occasions, he expressed his esteem of him in a very singular manner, telling him among other things, that if the King could have found out an honester and fitter man for that employment, he would not have advanced him to it; and that he had therefore preferred him, because he knew none that deserved it so well. It is ordinary for persons so promoted to be knighted, but he desired to avoid having that honour done him, and therefore for a considerable time declined all opportunities of waiting on the King; which the lord chancellor observing, sent for him upon business one day when the King was at his house, and told his majesty there was his modest chief baron; upon which he was unexpectedly knighted.

He continued eleven years in that place, managing the court, and all proceedings in it with singular justice. It was observed by the whole nation, how much he raised the

reputation and practice of it: and those who held places and offices in it can all declare, not only the impartiality of his justice, for that is but a common virtue, but his generosity, his vast diligence, and his great exactness in trials. This gave occasion to the only complaint that ever was made of him, that he did not despatch matters quick enough; but the great care he used to put suits to a final end, as it made him slower in deciding them, so it had this good effect, that causes tried before him were seldom if ever tried again.

Nor did his administration of justice lie only in that court: he was one of the principal judges that sat in Clifford's Inn about settling the difference between landlord and tenant after the dreadful fire of London; he being the first that offered his service to the city for accommodating all the differences that might have arisen about the rebuilding it, in which he behaved himself to the satisfaction of all persons concerned; so that the sudden and quiet building of the city, which is justly to be reckoned one of the wonders of the age, is in no small measure due to the great care which he and Sir Orlando Bridgeman, then lord chief justice of the Common Pleas, afterwards lord keeper of the great seal of England, used, and to the judgment

they showed in that affair: since without the rules then laid down, there might have otherwise followed such an endless train of vexatious suits, as might have been little less chargeable than the fire itself had been. But without detracting from the labours of the other judges, it must be acknowledged that he was the most instrumental in that great work; for he first by way of scheme contrived the rules upon which he and the rest proceeded afterwards; in which his readiness at arithmetic, and his skill in architecture, were of great use to him.

But it will not seem strange that a judge behaved himself as he did, who at the entry into his employment set such excellent rules to himself, which will appear in the following paper copied from the original under his own hand.

THINGS NECESSARY TO BE CONTINUALLY HAD IN REMEMBRANCE.

I. That in the administration of justice, I am entrusted for God, the king and country; and therefore,

II. That it be done: 1. Uprightly; 2. Deliberately; 3. Resolutely.

III. That I rest not upon my own understanding or strength, but implore and rest upon the direction and strength of God.

IV. That in the execution of justice, I care-

fully lay aside my own passions, and not give way to them, however provoked.

V. That I be wholly intent upon the business I am about, remitting all other cares and thoughts as unseasonable and interruptions.

VI. That I suffer not myself to be prepossessed with any judgment at all, till the whole business and both parties be heard.

VII. That I never engage myself in the beginning of any cause, but reserve myself unprejudiced till the whole be heard.

VIII. That in business capital, though my nature prompt me to pity, yet to consider that there is also a pity due to the country.

IX. That I be not too rigid in matters purely conscientious, where all the harm is diversity of judgment.

X. That I be not biassed with compassion to the poor, or favour to the rich, in point of justice.

XI. That popular or court applause, or distaste, have no influence into any thing I do in point of distribution of justice.

XII. Not to be solicitous what men will say or think, so long as I keep myself exactly according to the rule of justice.

XIII. If in criminals it be a measuring cast, to incline to mercy and acquittal.

XIV. In criminals that consist merely in words, when no more harm ensues, moderation is no injustice.

XV. In criminals of blood, if the fact be evident, severity is justice.

XVI. To abhor all private solicitations, of what kind soever, and by whom soever, in matters depending.

XVII. To charge my servants: 1. Not to interpose in any business whatsoever; 2. Not to take more than their known fees; 3. Not to give any undue precedence to causes; 4. Not to recommend counsel.

XVIII. To be short and sparing at meals, that I may be the fitter for business.

He would never receive private addresses or recommendations from the greatest persons in any matter in which justice was concerned. One of the first peers of England went once to his chamber, and told him, that having a suit in law to be tried before him, he was then to acquaint him with it, that he might the better understand it when it should come to be heard in court. Upon which the lord chief baron interrupted him, and said he did not deal fairly to come to his chamber about such affairs, for he never received any information of causes but in open court, where both par-

ties were to be heard alike; so he would not suffer him to go on: whereupon his Grace (for he was a duke) went away not a little dissatisfied, and complained of it to the King as a rudeness that was not to be endured. But his majesty bade him content himself that he was no worse used, and said, he verily believed he would have used himself no better, if he had gone to solicit him in any of his own causes.

Another passage fell out in one of his circuits, which was somewhat censured as an affectation of an unreasonable strictness, but it flowed from his exactness to the rules he had set himself: a gentleman had sent him a buck for his table, that had a trial at the assizes; so when he heard his name, he asked if he was not the same person that had sent him venison, and finding he was the same, he told him, he could not suffer the trial to go on till he had paid him for his buck; to which the gentleman answered, that he never sold his venison, and that he had done nothing to him which he did not do to every judge that had gone that circuit, which was confirmed by several gentlemen then present: but all would not do, for the lord chief baron had learned from Solomon, that "a gift perverteth the ways of judgment," and therefore he

would not suffer the trial to go on, till he had paid for the present; upon which the gentleman withdrew the record. And at Salisbury, the dean and chapter having according to the custom presented him with six sugar-loaves in his circuit, he made his servants pay for the sugar before he would try their cause.

It was not so easy for him to throw off the importunities of the poor, for whom his compassion wrought more powerfully than his regard to wealth and greatness; yet, when justice was concerned, even that did not turn him out of the way. There was one that had been put out of a place for some ill behaviour, who urged the lord chief baron to set his hand to a certificate to restore him to it, or provide him with another; but he told him plainly his fault was such that he could not do it: the other pressed him vehemently and fell down on his knees, and begged it of him with many tears; but finding that could not prevail, he said he should be utterly ruined if he did it not, and he should curse him for it every day: but that having no effect, then he fell out into all the reproachful words that passion and despair could inspire him with; to which all the answer the lord chief baron made was, that he could very well bear all his reproaches, but he could not for all that set

his hand to his certificate. He saw he was poor, so he gave him a large charity, and sent him away.

But now he was to go on after his pattern Pomponius Atticus, still to favour and relieve them that were lowest; so besides great charities to the nonconformists, who were then, as he thought, too hardly used, he took great care to cover them all he could from the severities some designed against them, and discouraged those who were inclined to stretch the laws too much against them. He lamented the differences that were raised in this church very much; and according to the impartiality of his justice, he blamed some things on both sides, which I shall set down with the same freedom that he spake them. He thought many of the nonconformists had merited highly in the business of the king's restoration, and at least deserved that the terms of conformity should not have been made stricter than they were before the war. There was not then that dreadful prospect of popery that has appeared since. But that which afflicted him most was, that he saw the heats and contentions which followed upon those different parties and interests, did take people off from the indispensable things of religion, and slackened the zeal of otherwise good men

for the substance of it, so much being spent about external and indifferent things. It also gave advantages to atheists to treat the most sacred points of our holy faith as ridiculous, when they saw the professors of it contend so fiercely, and with such bitterness, about lesser matters. He was much offended at all those books that were written to expose the contrary sect to the scorn and contempt of the age in a wanton and petulant style: he thought such writers wounded the Christian religion, through the sides of those who differed from them; while a sort of lewd people, who having assumed to themselves the title of the Wits, though but a very few of them have a right to it, took up from both hands what they had said to make one another show ridiculous, and from thence persuaded the world to laugh at both, and at all religion for their sakes. And therefore he often wished there might be some law to make all scurrility or bitterness, in disputes about religion, punishable. But as he lamented the proceeding too rigorously against the nonconformists, so he declared himself always of the side of the Church of England, and said those of the separation were good men, but they had narrow souls, who would break the peace of the church about such inconsiderable matters as the points in difference were.

He scarce ever meddled in state intrigues, yet, upon a proposition that was set on foot by the lord keeper Bridgeman, for a comprehension of the more moderate dissenters, and a limited indulgence towards such as could not be brought within the comprehension, he dispensed with his maxim of avoiding to engage in matters of state. There were several meetings upon that occasion: the divine of the church of England that appeared most considerably for it was Dr. Wilkins, afterwards promoted to the bishoprick of Chester, a man of as great a mind, as true a judgment, as eminent virtues, and of as good a soul, as any I ever knew. He being determined as well by his excellent temper, as by his foresight and prudence, by which he early perceived the great prejudices that religion received, and the vast dangers the reformation was likely to fall under by those divisions, set about that project with the magnanimity that was indeed peculiar to himself; for though he was much censured by many of his own side, and seconded by very few, yet he pushed it as far as he could. After several conferences with two of the most eminent of the Presbyterian divines, heads were agreed on, some abatements were to be made, and explanations

were to be accepted of. The particulars of that project being thus concerted, they were brought to the lord chief baron, who put them in form of a bill, to be presented to the next session of parliament.

But two parties appeared vigorously against this design; the one was of some zealous clergymen, who thought it below the dignity of the church to alter laws, and change settlements for the sake of some whom they esteemed schismatics: they also believed it was better to keep them out of the church than bring them into it, since a faction upon that would arise in the church, which they thought might be more dangerous than the schism itself was. Besides they said, if some things were now to be changed in compliance with the humour of a party, as soon as that was done another party might demand other concessions, and there might be as good reasons invented for these as for those; many such concessions might also shake those of our own communion, and tempt them to forsake us and go over to the church of Rome, pretending that we changed so often, that they were thereby inclined to be of a church that was constant and true to herself. These were the reasons brought, and chiefly insisted on, against all comprehension; and

they wrought upon the greater part of the House of Commons, so that they passed a vote against the receiving of any bill for that effect.

There were others that opposed it upon very different ends; they designed to shelter the papists from the execution of the law, and saw clearly that nothing could bring in popery so well as a toleration. But to tolerate popery bare-faced would have startled the nation too much; so it was necessary to hinder all the propositions for union, since the keeping up the differences was the best colour they could find for getting the toleration to pass only as a slackening the laws against dissenters, whose numbers and wealth made it advisable to have some regard to them; and under this pretence popery might have crept in more covered, and less regarded. So these counsels being more acceptable to some concealed papists, then in great power, as has since appeared but too evidently, the whole project for comprehension was let fall, and those who had set it on foot came to be looked on with an ill eye, as secret favourers of the dissenters, underminers of the church, and every thing else that jealousy and distaste could cast upon them.

But upon this occasion the lord chief baron and Dr. Wilkins came to contract a firm and

familiar friendship; and the lord chief baron having much business, and little time to spare, did, to enjoy the other the more, what he had scarce ever done before—he went sometimes to dine with him. And though he lived in great friendship with some other eminent clergymen, as Dr. Ward, bishop of Salisbury; Dr. Barlow, bishop of Lincoln; Dr. Barrow, late master of Trinity College; Dr. Tillotson, dean of Canterbury; and Dr. Stillingfleet, dean of St. Paul's, (men so well known and so much esteemed, that as it was no wonder the lord chief baron valued their conversation highly, so those of them that are yet alive will think it no lessening of the character they are so deservedly in, that they are reckoned among judge Hale's friends,) yet there was an intimacy and freedom in his converse with bishop Wilkins that was singular to him alone. He had, during the late wars, lived in a long and entire friendship with the apostolical primate of Ireland, bishop Usher: their curious searches into antiquity, and the sympathy of both their tempers, led them to a great agreement almost in every thing. He held also great conversation with Mr. Baxter, who was his neighbour at Acton, on whom he looked as a person of great devotion and piety, and of a very

subtile and quick apprehension: their conversation lay most in metaphysical and abstracted ideas and schemes.

He looked with great sorrow on the impiety and atheism of the age, and so he set himself to oppose it, not only by the shining example of his own life, but by engaging in a cause that indeed could hardly fall into better hands: and as he could not find a subject more worthy of himself, so there were few in the age that understood it so well, and could manage it more skilfully. The occasion that first led him to write about it was this:—He was a strict observer of the Lord's-day, in which, besides his constancy in the public worship of God, he used to call all his family together, and repeat to them the heads of the sermons, with some additions of his own, which he fitted for their capacities and circumstances; and that being done, he had a custom of shutting himself up for two or three hours, which he either spent in his secret devotions, or on such profitable meditations as did then occur to his thoughts. He wrote them with the same simplicity that he formed them in his mind, without any art, or so much as a thought to let them be published: he never corrected them, but laid them by when he had finished them, having intended only to fix and preserve

his own reflections in them: so that he used no sort of care to polish them, or make the first draught more perfect than when they fell from his pen. These fell into the hands of a worthy person, and he judging, as well he might, that the communicating them to the world might be a public service, printed two volumes of them in octavo, a little before the author's death, containing his

CONTEMPLATIONS.

1. Of our latter End.
2. Of Wisdom, and the Fear of God.
3. Of the knowledge of Christ crucified.
4. The Victory of Faith over the World.
5. Of Humility.
6. Jacob's Vow.
7. Of Contentation.
8. Of Afflictions.
9. A good method to entertain unstable and troublesome Times.
10. Changes and Troubles, a Poem.
11. Of the Redemption of Time.
12. The great Audit.
13. Directions touching keeping the Lord's-day, in a Letter to his Children.
14. Poems written upon Christmas-day.

[*In the Second Volume.*]

1. An Enquiry touching Happiness.
2. Of the chief End of Man.

3. Upon 12 Eccles. 1. Remember thy Creator.
4. Upon the 51st Psalm, v. 10. Create a clean heart in me; with a poem.
5. The Folly and Mischief of Sin.
6. Of Self-Denial.
7. Motives to Watchfulness, in reference to the Good and Evil Angels.
8. Of Moderation of the Affections.
9. Of worldly Hope and Expectation.
10. Upon 13 Heb. 14. We have here no continuing city.
11. Of Contentedness and Patience.
12. Of Moderation of Anger.
13. A Preparative against Afflictions.
14. Of Submission, Prayer, and Thanksgiving.
15. Of Prayer and Thanksgiving, on Psalm 116, 12.
16. Meditations on the Lord's Prayer, with a Paraphrase upon it.

In them there appears a generous and true spirit of religion, mixed with most serious and fervent devotion; and perhaps with the more advantage, that the style wants some correction, which shows they were the genuine productions of an excellent mind, entertaining itself in secret with such contemplations. The style is clear and masculine, in a due temper between flatness and affectation, in which he

expresses his thoughts both easily and decently. In writing these discourses, having run over most of the subjects that his own circumstances led him chiefly to consider, he began to be in some pain to choose new arguments, and therefore resolved to fix on a theme that should hold him longer.

He was soon determined in his choice by the immoral and irreligious principles and practices that had so long vexed his righteous soul; and therefore began a great design against atheism, the first part of which is only printed, of the Origination of Mankind, designed to prove the creation of the world, and the truth of the Mosaical history.

The second part was of the Nature of the Soul, and of a Future State.

The third part was concerning the Attributes of God, both from the abstracted ideas of him, and the light of nature; the evidence of providence, the notions of morality, and the voice of conscience.

And the fourth part was concerning the Truth and Authority of the Scriptures, with Answers to the Objections against them. On writing these he spent seven years. He wrote them with so much consideration, that one who perused the original under his own hand, which was the first draught of it, told me, he

did not remember any considerable alteration, perhaps not of twenty words in the whole work.

The way of his writing them, only on the evenings of the Lord's-day, when he was in town, and not much oftener when he was in the country, made that they are not so contracted, as it is very likely he would have written them if he had been more at leisure to have brought his thoughts into a narrower compass and fewer words.

But making some allowance for the largeness of the style, that volume that is printed is generally acknowledged to be one of the most perfect pieces both of learning and reasoning that has been written on that subject; and he who read a great part of the other volumes, told me they were all of a piece with the first.

When he had finished this work, he sent it by an unknown hand to bishop Wilkins, to desire his judgment of it; but he that brought it would give no other account of the author, but that he was not a clergyman. The bishop, and his worthy friend Dr. Tillotson, read a great deal of it with much pleasure, but could not imagine who could be the author, and how a man that was master of so much reason, and so great a variety of know-

ledge, should be so unknown to them, that they could not find him out by those characters which are so little common. At last Dr. Tillotson guessed it must be the lord chief baron, to which the other presently agreed, wondering he had been so long in finding it out. So they went immediately to him, and the bishop thanking him for the entertainment he had received from his works, he blushed extremely, not without some displeasure, apprehending that the person he had trusted had discovered him. But the bishop soon cleared that, and told him he had discovered himself, for the learning of that book was so various, that none but he could be the author of it. And that bishop having a freedom in delivering his opinions of things and persons, which perhaps few ever managed both with so much plainness and prudence, told him, there was nothing could be better said on these arguments, if he could bring it into a less compass; but if he had not leisure for that, he thought it much better to have it come out, though a little too large, than that the world should be deprived of the good which it must needs do. But our judge had never the opportunities of revising it, so a little before his death he sent the first part of it to the press.

In the beginning of it he gives an essay of his excellent way of methodizing things, in which he was so great a master, that whatever he undertook, he would presently cast into so perfect a scheme, that he could never afterwards correct it. He runs out copiously upon the argument of the impossibility of an eternal succession of time, to show that time and eternity are inconsistent one with another; and that therefore all duration that was past, and defined by time, could not be from eternity; and he shows the difference between successive eternity already past, and one to come; so that, though the latter is possible, the former is not so; for all the parts of the former have actually been, and therefore, being defined by time, cannot be eternal; whereas the other are still future to all eternity: so that this reasoning cannot be turned to prove the possibility of eternal successions that have been, as well as eternal successions that shall be. This he follows with a strength I never met with in any that managed it before him.

He brings next all those moral arguments to prove that the world had a beginning, agreeing to the account Moses gives of it, as that no history rises higher than near the time of the Deluge, and that the first foundation of

kingdoms, the invention of arts, the beginnings of all religions, the gradual plantation of the world and increase of mankind, and the consent of nations, do agree with it. In managing these, as he shows profound skill both in historical and philosophical learning, so he gives a noble discovery of his great candour and probity, that he would not impose on the reader with a false show of reasoning by arguments that he knew had flaws in them; and therefore, upon every one of these he adds such allays, as in a great measure lessened and took off their force with as much exactness of judgment and strictness of censure, as if he had been set to plead for the other side; and, indeed, sums up the whole evidence for religion as impartially as ever he did in a trial for life or death to the jury; which how equally and judiciously he did, the whole nation well knows.

After that, he examines the ancient opinions of the philosophers, and enlarges with a great variety of curious reflections in answering that only argument that has any appearance of strength for the casual production of man, from the origination of insects out of putrified matter, as is commonly supposed; and he concluded the book, showing how rational and philosophical the account which Moses gives

of it is. There is in it all, a sagacity and quickness of thought, mixed with great and curious learning, that I confess I never met together in any other book on that subject. Among other conjectures, one he gives concerning the Deluge is, that he did not think the face of the earth and the waters were altogether the same before the universal Deluge, and after; but possibly the face of the earth was more even than now it is; the seas possibly more dilated and extended, and not so deep as now. And a little after, possibly the seas have undermined much of the appearing continent of earth. This I the rather take notice of, because it hath been, since his death, made out in a most ingenious and most elegantly written book, by Mr. Burnet, of Christ's College in Cambridge, who has given such an essay towards the proving the possibility of an universal deluge, and from thence has collected, with great sagacity, what Paradise was before it, as has not been offered by any philosopher before him.

While the judge was thus employing his time, the lord chief justice Keyling dying, he was, on the 18th of May, 1671, promoted to be lord chief justice of England. He had made the pleas of the crown one of his chief studies, and by much search and long ob-

servation had composed that great work concerning them formerly mentioned. He that holds the high office of justiciary in that court being the chief trustee and asserter of the liberties of his country, all people applauded this choice, and thought their liberties could not be better deposited than in the hands of one, that, as he understood them well, so he had all the justice and courage that so sacred a trust required. One thing was much observed and commended in him, that when there was a great inequality in the ability and learning of the counsellors that were to plead one against another, he thought it became him, as the judge, to supply that; so he would enforce what the weaker counsel managed but indifferently, and not suffer the more learned to carry the business by the advantage they had over the others in their quickness and skill in law, and readiness in pleading, till all things were cleared in which the merits and strength of the ill-defended cause lay. He was not satisfied barely to give his judgment in causes, but did especially in all intricate ones, give such an account of the reasons that prevailed with him, that the counsel did not only acquiesce in his authority, but were so convinced by his reasons that I have heard many profess that he brought them

often to change their opinions; so that his giving of judgment was really a learned lecture upon that point of law; and which was yet more, the parties themselves, though interest does too commonly corrupt the judgment, were generally satisfied with the justice of his decisions, even when they were made against them. His impartial justice and great diligence drew the chief practice after him, into whatsoever court he came: since, though the courts of Common Pleas, the Exchequer, and the King's Bench, are appointed for the trial of causes of different natures, yet it is easy to bring most causes into any of them, as the counsel or attorneys please; so, as he had drawn the business much after him, both into the Common Pleas and the Exchequer, it now followed him into the King's Bench, and many causes that were depending in the Exchequer and not determined, were let fall there, and brought again before him in the court to which he was now removed. And here did he spend the rest of his public life and employment. But about four years and a half after this advancement, he, who had hitherto enjoyed a firm and vigorous health, to which his great temperance and the equality of his mind did not a little conduce, was on a sudden brought very low by an inflam-

mation in the diaphragm, which in two days' time broke the constitution of his health to such a degree that he never recovered it. He became so asthmatical, that with great difficulty he could fetch his breath; that determined in a dropsy, of which he afterwards died. He understood physic so well, that, considering his age, he concluded his distemper must carry him off in a little time; and therefore he resolved to have some of the last months of his life reserved to himself, that, being freed of all worldly cares, he might be preparing for his change. He was also so much disabled in his body, that he could hardly, though supported by his servants, walk through Westminster Hall, or endure the toil of business. He had been a long time wearied with the distractions that his employment had brought on him, and his profession was become ungrateful to him; he loved to apply himself wholly to better purposes, as will appear by a paper that he wrote on this subject, which I shall here insert:

"First, If I consider the business of my profession, whether as an advocate or as a judge, it is true I do acknowledge, by the institution of Almighty God, and the dispensation of his providence, I am bound to industry, and fidelity in it; and as it is an act of obe-

dience unto his will, it carries with it something of religious duty, and I may and do take comfort in it, and expect a reward of my obedience to him, and the good that I do to mankind therein, from the bounty and beneficence and promise of Almighty God. And it is true also, that without such employments, civil societies cannot be supported, and great good redounds to mankind from them; and in these respects, the conscience of my own industry, fidelity, and integrity in them, is a great comfort and satisfaction to me. But yet this I must say concerning these employments, considered simply in themselves, that they are very full of cares, anxieties, and perturbations.

"Secondly, That though they are beneficial to others, yet they are of the least benefit to him that is employed in them.

"Thirdly, That they do necessarily involve the party, whose office it is, in great dangers, difficulties, and calumnies.

"Fourthly, That they only serve for the meridian of this life, which is short and uncertain.

"Fifthly, That though it be my duty faithfully to serve in them while I am called to them, and till I am duly called from them, yet they are great consumers of that little

time we have here, which, as it seems to me, might be better spent in a pious contemplative life, and a due provision for eternity. I do not know a better temporal employment than Martha had, in testifying her love and duty to our Saviour, by making provision for him; yet our Lord tells her, That though she was troubled about many things, there was only one thing necessary, and Mary had chosen the better part."

By this the reader will see that he continued in his station upon no other consideration, but that, being set in it by the providence of God, he judged he could not abandon that post which was assigned him, without preferring his own private inclination to the choice God had made for him; but now, that same Providence having by this great distemper disengaged him from the obligation of holding a place which he was no longer able to discharge, he resolved to resign it. This was no sooner surmised abroad, than it drew upon him the importunities of all his friends, and the clamour of the whole town, to divert him from it; but all was to no purpose: there was but one argument that could move him, which was, that he was obliged to continue in the employment God had put him in for the good of the public. But to this he had such an

answer, that even those who were most concerned in his withdrawing, could not but see that the reasons inducing him to it, were but too strong; so he made applications to his majesty, in January 1675-6, for his writ of ease, which the King was very unwilling to grant him, and offered to let him hold his place still, he doing what business he could in his chamber; but he said he could not with a good conscience continue in it, since he was no longer able to discharge the duty belonging to it.

But yet such was the general satisfaction which all the kingdom received by his excellent administration of justice, that the King, though he could not well deny his request, yet he deferred the granting of it as long as was possible. Nor could the lord chancellor be prevailed with to move the King to hasten his discharge, though the chief justice often pressed him to it.

At last, having wearied himself and all his friends with his importunate desires, and growing sensibly weaker in body, he did upon the 21st day of February, 28 Car. II. anno Domini 1675-6, go before a master of the chancery with a little parchment deed, drawn by himself, and written all with his own hand, and there sealed and delivered it, and acknow-

ledged it to be enrolled; and afterwards he brought the original deed to the lord chancellor, and did formally surrender his office in these words:

"Omnibus Christi fidelibus ad quos præsens scriptura pervenerit, MATTHÆUS HALE, miles, capitalis justiciarius Domini Regis ad placita coram ipso rege tenenda assignatus, salutem in Domino sempiternam. Noveritis me præfatum MATTHÆUM HALE, militem, jam senem factum et variis corporis mei senilis morbis et infirmitatibus dire laborantem et adhuc detentum, hâc chartâ mea resignare et sursum reddere serenissimo Domino nostro Carolo secundo Dei gratiâ Angliæ, Scotiæ, Franciæ, et Hiberniæ Regi, fidei defensori, &c. predictum officium capitalis justiciarii ad placita coram ipso rege tenenda, humillime petens quod hoc scriptum irrotuletur de recordo. In cujus rei testimonium huic chartæ meæ resignationis sigillum meum apposui; dat. vicesimo primo die Februarii anno Regni dicti Domini Regis nunc vicesimo octavo."

He made this instrument, as he told the lord chancellor, for two ends: the one was to show the world his own free concurrence to his removal; another was to obviate an objection heretofore made, that a chief justice being placed by writ, was not removable at

pleasure, as judges by patent were: which opinion, as he said, was once held by his predecessor the lord chief justice Keyling, and though he himself were always of another opinion, yet he thought it reasonable to prevent such a scruple.

He had the day before surrendered to the King in person, who parted from him with great grace, wishing him most heartily the return of his health, and assuring him that he would still look upon him as one of his judges, and have recourse to his advice when his health would permit; and in the mean time would continue his pension during his life.

The good man thought this bounty too great, and an ill precedent for the King, and therefore wrote a letter to the lord treasurer, earnestly desiring that his pension might be only during pleasure; but the King would grant it for life, and make it payable quarterly.

And yet for a whole month together he would not suffer his servant to sue out his patent for his pension, and when the first payment was received, he ordered a great part of it to charitable uses, and said he intended most of it should be so employed as long as it was paid him.

At last, he happened to die upon the quarter-day, which was Christmas-day; and though

this might have given some occasion to a dispute whether the pension for that quarter were recoverable, yet the King was pleased to decide that matter against himself, and ordered the pension to be paid to his executors.

As soon as he was discharged from his great place, he returned home with as much cheerfulness as his want of health could admit of, being now eased of a burthen he had been of late groaning under, and so made more capable of enjoying that which he had much wished for, according to his elegant translation of, or rather paraphrase upon, those excellent lines in Seneca's Thyestes, Act II.

" Stet quicunque volet potens
Aulæ culmine lubrico :
Me dulcis saturet quies.
Obscuro positus loco,
Leni perfruar otio :
Nullis nota Quiritibus,
Ætas per tacitum fluat.
Sic cum transierint mei
Nullo cum strepitu dies,
Plebeius moriar senex.
Illi mors gravis incubat,
Qui notus nimis omnibus,
Ignotus moritur sibi."

Let him that will, ascend the tottering seat
Of courtly grandeur, and become as great
As are his mounting wishes: as for me,
Let sweet repose and rest my portion be;
Give me some mean, obscure recess, a sphere
Out of the road of business, or the fear
Of falling lower; where I sweetly may
Myself and dear retirement still enjoy:
Let not my life or name be known unto
The grandees of the time, toss'd to and fro
By censures or applause; but let my age
Slide gently by, not overthwart the stage
Of public action, unheard, unseen,
And unconcern'd, as if I ne'er had been.
And thus, while I shall pass my silent days
In shady privacy, free from the noise
And bustles of the mad world, then shall I
A good old innocent plebeian die.
Death is a mere surprise, a very snare
To him, that makes it his life's greatest care
To be a public pageant, known to all,
But unacquainted with himself doth fall.

Having now attained to that privacy which he had no less seriously than piously wished for, he called all his servants that had belonged to his office together, and told them he had now laid down his place, and so their employments were determined. Upon that,

he advised them to see for themselves, and gave to some of them very considerable presents, and to every one of them a token, and so dismissed all those that were not his domestics. He was discharged the 15th of February, 1675-6, and lived till the Christmas following; but all the while was in so ill a state of health, that there were no hopes of his recovery. He continued still to retire often, both for his devotions and studies; and as long as he could go, went constantly to his closet; and when his infirmities increased on him so that he was not able to go thither himself, he made his servants carry him thither in a chair. At last, as the winter came on, he saw with great joy his deliverance approaching, for, besides his being weary of the world, and his longings for the blessedness of another state, his pains increased so on him, that no patience inferior to his could have borne them without a great uneasiness of mind; yet he expressed to the last such submission to the will of God, and so equal a temper under them, that it was visible then what mighty effects his philosophy and Christianity had on him, in supporting him under such a heavy load.

He could not lie down in bed above a

year before his death, by reason of the asthma; but sat, rather than lay in it.

He was attended on in his sickness by a pious and worthy divine, Mr. Evan Griffith, minister of the parish; and it was observed that, in all the extremities of his pain, whenever he prayed by him, he forbore all complaints or groans, but with his hands and eyes lifted up was fixed in his devotions. Not long before his death, the minister told him there was to be a sacrament next Sunday at church, but he believed he could not come and partake with the rest; therefore he would give it to him in his own house. But he answered, "No: his heavenly Father had prepared a feast for him: and he would go to his Father's house to partake of it." So he made himself be carried thither in his chair, where he received the sacrament on his knees with great devotion, which it may be supposed was the greater, because he apprehended it was to be his last, and so took it as his viaticum and provision for his journey. He had some secret unaccountable presages of his death, for he said, that if he did not die on such a day, which fell to be the 25th of November, he believed he should live a month longer; and he died that very day month. He continued to enjoy the free use of his

reason and sense to the last moment, which he had often and earnestly prayed for during his sickness. And when his voice was so sunk that he could not be heard, they perceived by the almost constant lifting up of his eyes and hands, that he was still aspiring towards that blessed state, of which he was now speedily to be possessed.

He had for many years a particular devotion for Christmas-day, and after he had received the sacrament, and been in the performance of the public worship of that day, he commonly wrote a copy of verses on the honour of his Saviour, as a fit expression of the joy he felt in his soul at the return of that glorious anniversary. There are seventeen of those copies printed, which he wrote on seventeen several Christmas-days; by which the world has a taste of his poetical genius, in which, if he had thought it worth his time to have excelled, he might have been eminent as well as in other things; but he wrote them rather to entertain himself, than to merit the laurel.

I shall here add one which has not been yet printed, and it is not unlikely it was the last he wrote. It is a paraphrase on Simeon's Song; I take it from his blotted copy not at all finished, so the reader is to

make allowance for any imperfection he may find in it.

" Blessed Creator, who before the birth
Of time, or ere the pillars of the earth
Were fix'd or form'd, didst lay that great design
Of man's redemption, and didst define
In thine eternal counsels all the scene
Of that stupendous business, and when
It should appear, and though the very day
Of its Epiphany concealed lay
Within thy mind, yet thou wert pleased to show
Some glimpses of it unto men below,
In visions, types, and prophecies, as we
Things at a distance in perspective see:
But thou wert pleased to let thy servant know
That that blest hour, that seem'd to move so slow
Through former ages, should at last attain
Its time, ere my few sands that yet remain
Are spent; and that these aged eyes
Should see the day when Jacob's star should rise.
And now thou hast fulfill'd it, blessed Lord,
Dismiss me now, according to thy word;

And let my aged body now return
To rest, and dust, and drop into an urn;
For I have lived enough, mine eyes have seen
Thy much-desired salvation, that hath been
So long, so dearly wish'd; the joy, the hope
Of all the ancient patriarchs, the scope
Of all the prophecies and mysteries,
Of all the types unveil'd, the histories
Of Jewish church unriddled, and the bright
And orient sun arisen to give light
To gentiles, and the joy of Israel,
The world's Redeemer, bless'd Emanuel.
Let this sight close mine eyes, 'tis loss to see,
After this vision, any sight but Thee."

Thus he used to sing on the former Christmas-days, but now he was to be admitted to bear his part in the new songs above; so that day which he had spent in so much spiritual joy, proved to be indeed the day of his jubilee and deliverance, for between two and three in the afternoon he breathed out his righteous and pious soul. His end was peace; he had no strugglings, nor seemed to be in any pangs in his last moments. He was buried on the 4th of January; Mr. Griffith preaching the funeral-sermon, his text was the 57th of Isaiah, 1st verse, "The

righteous perisheth, and no man layeth it to heart; and merciful men are taken away, none considering that the righteous is taken away from the evil to come." Which how fitly it was applicable upon this occasion, all that consider the course of his life will easily conclude. He was interred in the church-yard of Alderley, among his ancestors. He did not much approve of burying in churches, and used to say, the churches were for the living, and the church-yards for the dead. His monument was, like himself, decent and plain; the tombstone was black marble, and the sides were black and white marble, upon which he himself had ordered this bare and humble inscription to be made:

HIC INHUMATUR CORPUS
MATTHÆI HALE, MILITIS;
ROBERTI HALE, ET JOANNÆ
UXORIS EJUS, FILII UNICI.
NATI IN HAC PAROCHIA DE ALDERLY,
PRIMO DIE NOVEMBRIS, ANNO DOM.
1609. DENATI VERO IBIDEM VICESIMO
QUINTO DIE DECEMBRIS, ANNO DOM.
1676, ÆTATIS SUÆ LXVII.

Having thus given an account of the most remarkable things of his life, I am now to

present the reader with such a character of him as the laying his several virtues together will amount to: in which I know how difficult a task I undertake, for, to write defectively of him were to injure him, and lessen the memory of one to whom I intend to do all the right that is in my power: on the other hand, there is so much here to be commended, and proposed for the imitation of others, that I am afraid some may imagine I am rather making a picture of him from an abstracted idea of great virtues and perfections, than setting him out as he truly was: but there is great encouragement in this, that I write concerning a man so fresh in all people's remembrance, that is so lately dead, and was so much and so well known, that I shall have many vouchers, who will be ready to justify me in all that I am to relate, and to add a great deal to what I can say.

It has appeared in the account of his various learning, how great his capacities were, and how much they were improved by constant study: he rose always early in the morning; he loved to walk much abroad, not only for his health, but he thought it opened his mind, and enlarged his thoughts, to have the creation of God before his eyes. When he set himself to any study, he used

to cast his design in a scheme, which he did with a great exactness of method; he took nothing on trust, but pursued his inquiries as far as they could go; and as he was humble enough to confess his ignorance, and submit to mysteries which he could not comprehend, so he was not easily imposed on by any shows of reason, or the bugbears of vulgar opinions: he brought all his knowledge as much to scientifical principles as he possibly could, which made him neglect the study of tongues, for the bent of his mind lay another way. Discoursing once of this to some, they said, they looked on the common law as a study that could not be brought into a scheme, nor formed into a rational science, by reason of the indigestedness of it, and the multiplicity of the cases in it, which rendered it very hard to be understood, or reduced into a method; but he said, he was not of their mind, and so quickly after he drew with his own hand a scheme of the whole order and parts of it, in a large sheet of paper, to the great satisfaction of those to whom he sent it. Upon this hint, some pressed him to compile a body of the English law: it could hardly ever be done by a man who knew it better and would with more judgment and industry have put it into me-

thod; but he said, as it was a great and noble design, which would be of vast advantage to the nation; so it was too much for a private man to undertake: it was not to be entered upon but by the command of a prince, and with the communicated endeavours of some of the most eminent of the profession.

He had great vivacity in his fancy, as may appear by his inclination to poetry, and the lively illustrations and many tender strains in his Contemplations; but he looked on eloquence and wit as things to be used very chastely in serious matters, which should come under a severer inquiry: therefore he was, both when at the bar and on the bench, a great enemy to all eloquence or rhetoric in pleading: he said, if the judge or jury had a right understanding, it signified nothing but a waste of time and loss of words; and if they were weak, and easily wrought on, it was a more decent way of corrupting them, by bribing their fancies, and biassing their affections; and wondered much at that affectation of the French lawyers in imitating the Roman orators in their pleadings. For the oratory of the Romans was occasioned by their popular government, and the factions of the city, so that those who intended to excel

in the pleading of causes, were trained up in the schools of the rhetors till they became ready and expert in that luscious way of discourse. It is true, the composures of such a man as Tully was, who mixed an extraordinary quickness, and exact judgment, and a just decorum with his skill in rhetoric, do still entertain the readers of them with great pleasure: but at the same time it must be acknowledged, that there is not that chastity of style, that closeness of reasoning, nor that justness of figures in his orations, that is in his other writings; so that a great deal was said by him, rather because he knew it would be acceptable to his auditors, than that it was approved of by himself: and all who read them will acknowledge they are better pleased with them as essays of wit and style, than as pleadings, by which such a judge as ours was would not be much wrought on. And, if there are such grounds to censure the performances of the greatest master in eloquence, we may easily infer what nauseous discourses the other orators made, since in oratory, as well as in poetry, none can do indifferently. So our judge wondered to find the French, that live under a monarchy, so fond of imitating that which was an ill effect of the popular government of Rome: he therefore

pleaded himself always in few words, and home to the point: and when he was a judge, he held those that pleaded before him to be the main hinge of the business, and cut them short when they made excursions about circumstances of no moment, by which he saved much time, and made the chief difficulties be well stated and cleared.

There was another custom among the Romans, which he as much admired, as he despised their rhetoric, which was, that the jurisconsults were the men of the highest quality, who were bred to be capable of the chief employment in the state, and became the great masters of their law: these gave their opinions of all cases that were put to them freely, judging it below them to take any present for it; and indeed they only were the true lawyers among them, whose resolutions were of that authority, that they made one *classis* of those materials out of which Trebonian compiled the digests under Justinian; for the orators or *causidici* that pleaded causes, knew little of the law, and only employed their mercenary tongues to work on the affections of the people and senate, or the pretors: even in most of Tully's Orations there is little of law: and that little which they might sprinkle in their declamations, they had not

from their own knowledge, but the resolution of some jurisconsult: according to that famous story of Servius Sulpitius, who was a celebrated orator, and being to receive the resolution of one of those that were learned in the law, was so ignorant, that he could not understand it; upon which the jurisconsult reproached him, and said, it was a shame for him that was a nobleman, a senator, and a pleader of causes, to be thus ignorant of law: this touched him so sensibly, that he set about the study of it, and became one of the most eminent jurisconsults that ever were at Rome. Our judge thought it might become the greatness of a prince to encourage such a sort of men and of studies; in which, none in the age he lived in was equal to the great Selden, who was truly in our English law, what the old Roman jurisconsults were in theirs.

But where a decent eloquence was allowable, Judge Hale knew how to have excelled as much as any, either in illustrating his reasonings by proper and well pursued similes, or by such tender expressions as might work most on the affections, so that the present lord chancellor has often said of him since his death, that he was the greatest orator he had known; for though his words came not fluently from him, yet when they were out, they were

the most significant and expressive that the matter could bear: of this sort there are many in his Contemplations, made to quicken his own devotion, which have a life in them becoming him that used them, and a softness fit to melt even the harshest tempers, accommodated to the gravity of the subject, and apt to excite warm thoughts in the readers; that as they show his excellent temper that brought them out and applied them to himself, so they are of great use to all who would both inform and quicken their minds. Of his illustrations of things by proper similes, I shall give a large instance out of his book of the Origination of Mankind, designed to expose the several different hypotheses the philosophers fell on concerning the eternity and original of the universe, and to prefer the account given by Moses to all their conjectures; in which, if my taste does not misguide me, the reader will find a rare and very agreeable mixture, both of fine wit, and solid learning and judgment.

"That which may illustrate my meaning, in this preference of the revealed light of the holy scriptures, touching this matter, above the essays of a philosophical imagination, may be this. Suppose that Greece was unacquainted with the curiosity of mechanical engines,

though known in some remote region of the world, and that an excellent artist had secretly brought and deposited in some field or forest some excellent watch or clock, which had been so formed that the original of its motion was hidden, and involved in some close contrived piece of mechanism; that this watch was so framed, that the motion thereof might have lasted a year, or some such time as might give a reasonable period for their philosophical descanting concerning it; and that in the plain table there had been not only the description and indication of hours, but the configurations and indications of the various phases of the moon, the motion and place of the sun in the ecliptic, and divers other curious indications of celestial motions; and that the scholars of the several schools, of Epicurus, of Aristotle, of Plato, and the rest of those philosophical sects, had casually in their walk found this admirable automaton; what kind of work would there have been made by every sect, in giving an account of this phenomenon? We should have had the Epicurean sect have told the bystanders, according to their preconceived hypothesis, that this was nothing else but an accidental concretion of atoms that haply fallen together had made up the index, the wheels, and the balance; and that

being haply fallen into this posture; they were put into motion. Then the Cartesian falls in with him as to the main of their supposition, but tells him that he doth not sufficiently explicate how the engine is put into motion, and therefore to furnish this motion there is a certain *materia subtilis* that pervades this engine; and the moveable parts consisting of several globular atoms apt for motion, they are thereby, and by the mobility of the globular atoms, put into motion. A third finding fault with the two former, because those motions are so regular, and do express the various phenomena of the distribution of time, and of the heavenly motions; therefore it seems to him that this engine and motion also, so analogical to the motions of the heavens, was wrought by some admirable conjunction of the heavenly bodies, which formed this instrument and its motions in such an admirable correspondency to its own existence. A fourth, disliking the suppositions of the three former, tells the rest that he hath a more plain and evident solution of the phenomenon; namely, The universal soul of the world, or spirit of nature, that formed so many sorts of insects with so many organs, faculties, and such congruity of their whole composition, and such curious and various motions as we may ob-

serve in them, hath formed and set into motion this admirable automaton, and regulated and ordered it with all these congruities we see in it. Then steps in an Aristotelian, and being dissatisfied with all the former solutions, tells them, 'Gentlemen, you are all mistaken, your solutions are inexplicable and unsatisfactory; you have taken up certain precarious hypotheses, and being prepossessed with these creatures of your own fancies, and in love with them, right or wrong, you form all your conceptions of things according to those fancied and preconceived imaginations. The short of the business is, this machina is eternal, and so are all the motions of it; and inasmuch as a circular motion hath no beginning or end, this motion that you see both in the wheels and index, and the successive indications of the celestial motions, is eternal, and without beginning. And this is a ready and expedite way of solving the phenomena, without so much ado as you have made about it.'

"And whilst all the masters were thus contriving the solution of the phenomenon in the hearing of the artist that made it; and when they had all spent their philosophizing upon it, the artist that made this engine, and all this while listened to their admirable fancies, tells them, 'Gentlemen, you have discovered

very much excellency of invention touching this piece of work that is before you, but you are all miserably mistaken: for it was I that made this watch, and brought it hither, and I will show you how I made it. First I wrought the spring, and the fusee, and the wheels, and the balance, and the case, and table; I fitted them one to another, and placed these several axes that are to direct the motions, of the index to discover the hour of the day, of the figure that discovers the phases of the moon, and the other various motions that you see; and then I put it together, and wound up the spring which hath given all these motions that you see in this curious piece of work; and that you may be sure I tell you true, I will tell you the whole order and progress of my making, disposing, and ordering of this piece of work, the several materials of it, the manner of the forming of every individual part of it, and how long I was about it.' This plain and evident discovery renders all these excogitated hypotheses of those philosophical enthusiasts vain and ridiculous, without any great help of rhetorical flourishes, or logical confutations. And much of the same nature is that disparity of the hypotheses of the learned philosophers in relation to the origination of the world and man, after a great deal of

dust raised, and fanciful explications and unintelligible hypotheses. The plain but Divine narrative by the hand of Moses, full of sense, and congruity, and clearness, and reasonableness in itself, does at the same moment give us a true and clear discovery of this great mystery, and renders all the essays of the generality of the heathen philosophers to be vain, inevident, and indeed inexplicable theories, the creatures of phantasy and imagination, and nothing else."

As for his virtues, they have appeared so conspicuous in all the several transactions and turns of his life, that it may seem needless to add any more of them than has been already related; but there are many particular instances which I knew not how to fit to the several years of his life, which will give us a clearer and better view of him.

He was a devout Christian, a sincere Protestant, and a true son of the church of England; moderate towards dissenters, and just even to those from whom he differed most; which appeared signally in the care he took of preserving the Quakers from that mischief that was like to fall on them by declaring their marriages void, and so bastarding their children; but he considered marriage and succession as a right of nature, from which

none ought to be barred, what mistake soever they might be under in the points of revealed religion.

And therefore in a trial that was before him, when a Quaker was sued for some debts owing by his wife before he married her; and the Quaker's counsel pretended, that it was no marriage that had passed between them, since it was not solemnized according to the rules of the church of England; he declared, that he was not willing on his own opinion to make their children bastards, and gave directions to the jury to find it special. It was a reflection on the whole party, that one of them, to avoid an inconvenience he had fallen in, thought to have preserved himself by a defence, that, if it had been allowed in law, must have made their whole issue bastards, and incapable of succession; and for all their pretended friendship to one another, if this judge had not been more their friend than one of those they so called, their posterity had been little beholden to them. But he governed himself indeed by the law of the Gospel, of doing to others what he would have others do to him; and therefore, because he would have thought it a hardship not without cruelty, if amongst papists all marriages were nulled which had not been made with all the cere-

monies in the Roman ritual, so he, applying this to the case of the sectaries, thought all marriages, made according to the several persuasions of men, ought to have their effects in law.

He used constantly to worship God in his family, performing it always himself, if there was no clergyman present. But, as to his private exercises in devotion, he took that extraordinary care to keep what he did secret, that this part of his character must be defective, except it be acknowledged that his humility in covering it commends him much more than the highest expressions of devotion could have done.

From the first time that the impressions of religion settled deeply in his mind, he used great caution to conceal it; not only in obedience to the rules given by our Saviour of fasting, praying, and giving alms in secret; but from a particular distrust he had of himself, for he said he was afraid he should at some time or other do some enormous thing, which, if he were looked on as a very religious man, might cast a reproach on the profession of it, and give great advantages to impious men to blaspheme the name of God: but a tree is known by its fruits; and he lived not only free from blemishes or scandal, but

shined in all the parts of his conversation. And perhaps the distrust he was in of himself contributed not a little to the purity of his life; for he being thereby obliged to be more watchful over himself, and to depend more on the aids of the Spirit of God, no wonder if that humble temper produced those excellent effects in him.

He had a soul enlarged and raised above that mean appetite of loving money, which is generally the root of all evil. He did not take the profits that he might have had by his practice; for in common cases, when those who came to ask his counsel gave him a piece, he used to give back the half, and so made ten shillings his fee, in ordinary matters that did not require much time or study: if he saw a cause was unjust, he for a great while would not meddle further in it, but to give his advice that it was so; if the parties, after that, would go on, they were to seek another counsellor, for he would assist none in acts of injustice: if he found the cause doubtful or weak in point of law, he always advised his clients to agree their business: yet afterwards he abated much of the scrupulosity he had about causes that appeared at first view unjust, upon this occasion: there were two causes brought to him, which by the

ignorance of the party or their attorney, were so ill represented to him, that they seemed to be very bad, but he inquiring more narrowly into them, found they were really very good and just; so after this he slackened much of his former strictness, of refusing to meddle in causes upon the ill circumstances that appeared in them at first.

In his pleading he abhorred those too common faults of misreciting evidences, quoting precedents, or books falsely, or asserting things confidently; by which ignorant juries, or weak judges, are too often wrought on. He pleaded with the same sincerity that he used in the other parts of his life, and used to say it was as great a dishonour as a man was capable of, that for a little money he was to be hired to say or do otherwise than as he thought: all this he ascribed to the unmeasurable desire of heaping up wealth, which corrupted the souls of some that seemed to be otherwise born and made for great things.

When he was a practitioner, differences were often referred to him, which he settled, but would accept of no reward for his pains, though offered by both parties together, after the agreement was made; for he said in those cases he was made a judge, and a judge ought to take no money. If they told him, he lost

much of his time in considering their business, and so ought to be acknowledged for it; his answer was, as one that heard it told me, "Can I spend my time better, than to make people friends? Must I have no time allowed me to do good in?"

He was naturally a quick man, yet by much practice on himself, he subdued that to such a degree, that he would never run suddenly into any conclusion concerning any matter of importance. *Festina lente* was his beloved motto, which he ordered to be engraven on the head of his staff, and was often heard say that he had observed many witty men run into great errors, because they did not give themselves time to think, but the heat of imagination making some notions appear in good colours to them, they without staying till that cooled, were violently led by the impulses it made on them, whereas calm and slow men, who pass for dull in the common estimation, could search after truth and find it out, as with more deliberation, so with greater certainty.

He laid aside the tenth penny of all he got for the poor, and took great care to be well informed of proper objects for his charities; and after he was a judge, many of the perquisites of his place, as his dividend of the rule

and box-money, were sent by him to the gaols to discharge poor prisoners, who never knew from whose hands their relief came. It is also a custom for the marshal of the King's Bench to present the judges of that court with a piece of plate for a new year's gift, that for the Chief Justice being larger than the rest: this he intended to have refused, but the other judges told him it belonged to his office, and the refusing it would be a prejudice to his successors, so he was persuaded to take it, but he sent word to the marshal, that instead of plate, he should bring him the value of it in money, and when he received it, he immediately sent it to the prisons, for the relief and discharge of the poor there. He usually invited his poor neighbours to dine with him, and made them sit at table with himself: and if any of them were sick, so that they could not come, he would send meat warm to them from his table: and he did not only relieve the poor in his own parish, but sent supplies to the neighbouring parishes, as there was occasion for it: and he treated them all with the tenderness and familiarity that became one, who considered they were of the same nature with himself, and were reduced to no other necessities but such as he himself might be brought to: but for common beggars, if any

of these came to him, as he was in his walks, when he lived in the country, he would ask such as were capable of working, why they went about so idly; if they answered, it was because they could find no work, he often sent them to some field, to gather all the stones in it, and lay them on a heap, and then would pay them liberally for their pains: this being done, he used to send his carts, and caused them to be carried to such places of the highway as needed mending.

But when he was in town, he dealt his charities very liberally, even among the street beggars, and when some told him, that he thereby encouraged idleness, and that most of these were notorious cheats, he used to answer, that he believed most of them were such, but among them there were some that were great objects of charity, and pressed with grievous necessities; and that he had rather give his alms to twenty who might be perhaps rogues, than that one of the other sort should perish for want of that small relief which he gave them.

He loved building much, which he affected chiefly because it employed many poor people; but one thing was observed in all his buildings, that the change he made in his houses was always from magnificence to use-

fulness; for he avoided every thing that looked like pomp or vanity, even in the walls of his houses; he had good judgment in architecture, and an excellent faculty in contriving well.

He was a gentle landlord to all his tenants, and was ever ready, upon any reasonable complaints, to make abatements; for he was merciful as well as righteous. One instance of this was, of a widow that lived in London, and had a small estate near his house in the country, from which her rents were ill returned to her, and at a cost which she could not well bear; so she bemoaned herself to him, and he, according to his readiness to assist all poor people, told her he would order his steward to take up her rents, and the returning them should cost her nothing. But after that, when there was a falling of rents in that country, so that it was necessary to make abatements to the tenant, yet he would have it to lie on himself, and made the widow be paid her rent as formerly.

Another remarkable instance of his justice and goodness was, that when he found ill money had been put into his hands, he would never suffer it to be vented again, for he thought it was no excuse for him to put false money in other people's hands because some

had put it in his: a great heap of this he had gathered together, for many had so far abused his goodness as to mix base money among the fees that were given him. It is likely he intended to have destroyed it, but some thieves who had observed it broke into his chamber and stole it, thinking they had got a prize; which he used to tell with some pleasure, imagining how they found themselves deceived when they perceived what sort of booty they had fallen on.

After he was made a judge, he would needs pay more for every purchase he made than it was worth; if it had been but a horse he was to buy, he would outbid the price: and when some represented to him that he made ill bargains, he said, it became judges to pay more for what they bought than the true value, that so those with whom they dealt, might not think they had any right to their favour, by having sold such things to them at an easy rate; and said it was suitable to the reputation which a judge ought to preserve to make such bargains, that the world might see they were not too well used upon some secret account.

In sum, his estate did show how little he had minded the raising a great fortune; for from a hundred pounds a year, he raised it

not quite to nine hundred, and of this a very considerable part came in by his share of Mr. Selden's estate; yet this, considering his great practice while a counsellor, and his constant frugal and modest way of living, was but a small fortune. In the share that fell to him by Mr. Selden's will, one memorable thing was done by him with the other executors, by which they both showed their regard to their dead friend, and their love of the public. His library was valued at some thousands of pounds, and was believed to be one of the most curious collections in Europe; so they resolved to keep this entire for the honour of Selden's memory, and gave it to the University of Oxford, where a noble room was added to the former library for its reception; and all due respects have been since showed by that great and learned body to those their worthy benefactors, who not only parted so generously with this great treasure, but were a little put to it how to oblige them without crossing the will of their dead friend. Mr. Selden had once intended to give his library to that university, and had left it so by his will; but, having occasion for a manuscript which belonged to their library, they asked of him a bond of a thousand pounds for its restitution; this he took so ill at their hands,

that he struck out that part of his will by which he had given them his library, and with some passion declared they should never have it. The executors stuck at this a little, but, having considered better of it, came to this resolution: that they were to be the executors of Mr. Selden's will, and not of his passion; so they made good what he had intended in cold blood, and passed over what his passion had suggested to him.

The parting with so many excellent books would have been as uneasy to our judge as any thing of that nature could be, if a pious regard to his friend's memory had not prevailed over him, for he valued books and manuscripts above all things in the world: he himself had made a great and rare collection of manuscripts belonging to the law of England; he was forty years in gathering it; he himself said it cost him about fifteen hundred pounds, and calls it, in his will, a treasure worth having and keeping, and not fit for every man's view. These all he left to Lincoln's-inn; and for the information of those who are curious to search into such things, there shall be a catalogue of them added at the end of this book.

By all these instances it does appear how much he was raised above the world, or the

25982

love of it. But having thus mastered things without him, his next study was to overcome his own inclinations. He was, as he said himself, naturally passionate; I add, as he said himself, for that appeared by no other evidence, save that sometimes his colour would rise a little; but he so governed himself, that those who lived long about him have told me, they never saw him disordered with anger, though he met with some trials that the nature of man is as little able to bear as any whatsoever. There was one who did him a great injury, which it is not necessary to mention, who coming afterwards to him for his advice in the settlement of his estate, he gave it very frankly to him, but would accept of no fee for it, and thereby showed both that he could forgive as a Christian, and that he had the soul of a gentleman in him, not to take money of one that had wronged him so heinously. And when he was asked by one how he could use a man so kindly that had wronged him so much, his answer was, he thanked God he had learned to forget injuries. And besides the great temper he expressed in all his public employments, in his family he was a very gentle master: he was tender of all his servants, he never turned any away except they were so faulty that

there was no hope of reclaiming them: when any of them had been long out of the way, or had neglected any part of their duty, he would not see them at their first coming home, and sometimes not till the next day, lest, when his displeasure was quick upon him, he might have chid them indecently; and when he did reprove them, he did it with that sweetness and gravity, that it appeared he was more concerned for their having done a fault, than for the offence given by it to himself: but if they became immoral or unruly, then he turned them away, for he said, he that by his place ought to punish disorders in other people, must by no means suffer them in his own house. He advanced his servants according to the time they had been about him, and would never give occasion to envy among them, by raising the younger clerks above those who had been longer with him. He treated them all with great affection, rather as a friend than a master, giving them often good advice and instruction. He made those who had good places under him give some of their profits to the other servants, who had nothing but their wages. When he made his will, he left legacies to every one of them; but he expressed a more particular kindness for one of them, Robert

Gibbon, of the Middle Temple, Esq. in whom he had that confidence that he left him one of his executors. I the rather mention him, because of his noble gratitude to his worthy benefactor and master, for he has been so careful to preserve his memory, that as he set those on me at whose desire I undertook to write his life, so he has procured for me a great part of those memorials and informations out of which I have composed it.

The judge was of a most tender and compassionate nature; this did eminently appear in his trying and giving sentence upon criminals, in which he was strictly careful that not a circumstance should be neglected which might any way clear the fact: he behaved himself with that regard to the prisoners, which became both the gravity of a judge, and the pity that was due to men whose lives lay at stake, so that nothing of jeering or unreasonable severity ever fell from him. He also examined the witnesses in the softest manner, taking care that they should be put under no confusion which might disorder their memory: and he summed all the evidence so equally when he charged the jury, that the criminals themselves never complained of him. When it came to him to give sentence, he did it with that composedness

and decency, and his speeches to the prisoners, directing them to prepare for death, were so weighty, so free from all affectation, and so serious and devout, that many loved to go to the trials when he sat judge, to be edified by his speeches and behaviour in them; and used to say, they heard very few such sermons.

But though the pronouncing the sentence of death was the piece of his employment that went most against the grain with him; yet in that he could never be mollified to any tenderness which hindered justice. When he was once pressed to recommend some, whom he had condemned, to his majesty's mercy and pardon; he answered, he could not think they deserved a pardon, whom he himself had adjudged to die: so that all he would do in that kind was to give the King a true account of the circumstances of the fact; after which his majesty was to consider whether he would interpose his mercy, or let justice take place.

His mercifulness extended even to his beasts: for when the horses that he had kept long grew old, he would not suffer them to be sold, or much wrought, but ordered his men to turn them loose on his grounds, and put them only to easy work, such as going to market and the like: he used old dogs also with the

same care; his shepherd having one that was become blind with age, he intended to have killed or lost him, but the judge coming to hear of it, made one of his servants bring him home, and fed him till he died: and he was scarce ever seen more angry than with one of his servants for neglecting a bird that he kept, so that it died for want of food.

He was a great encourager of all young persons that he saw followed their books diligently; to whom he used to give directions concerning the method of their study, with a humanity and sweetness that wrought much on all that came near him: and in a smiling pleasant way he would admonish them if he saw any thing amiss in them; particularly, if they went too fine in their clothes, he would tell them it did not become their profession. He was not pleased to see students wear long periwigs, or attorneys go with swords; so that such young men as would not be persuaded to part with those vanities, when they went to him laid them aside, and went as plain as they could, to avoid the reproof which they knew they might otherwise expect.

He was very free and communicative in his discourse, which he most commonly fixed on some good and useful subject, and loved for an hour or two at night to be visited by some

of his friends. He neither said nor did any thing with affectation, but used a simplicity that was both natural to himself and very easy to others. And though he never studied the modes of civility or court breeding, yet he knew not what it was to be rude or harsh with any, except he were impertinently addressed to in matters of justice; then he would raise his voice a little, and so shake off those importunities.

In his furniture, and the service of his table, and way of living, he liked the old plainness so well, that as he would set up none of the new fashions, so he rather affected a coarseness in the use of the old ones: which was more the effect of his philosophy than disposition, for he loved fine things too much at first: he was always of an equal temper, rather cheerful than merry. Many wondered to see the evenness of his deportment in some very sad passages of his life.

Having lost one of his sons, the manner of whose death had some grievous circumstances in it; one coming to see him and condole, he said to him, those were the effects of living long, such must look to see many sad and unacceptable things; and having said that, he went to other discourses with his ordinary freedom of mind; for though he had a tem-

per so tender that sad things were apt enough to make deep impressions upon him, yet the regard he had to the wisdom and providence of God, and the just estimate he made of all external things, did to admiration maintain the tranquillity of his mind; and he gave no occasion by idleness to melancholy to corrupt his spirit, but by the perpetual bent of his thoughts, he knew well how to divert them from being oppressed with the excesses of sorrow.

He had a generous and noble idea of God in his mind, and this he found did above all other considerations preserve his quiet: and indeed that was so well established in him, that no accidents, how sudden soever, were observed to discompose him: of which an eminent man of that profession gave me this instance. In the year 1666, an opinion did run through the nation that the end of the world would come that year: this, whether set on by astrologers, or advanced by those who thought it might have some relation to the number of the beast in the Revelation, or promoted by men of ill designs to disturb the public peace, had spread mightily among the people; and Judge Hale going that year the western circuit, it happened that as he was on the bench at the assizes, a most terrible storm

fell out very unexpectedly, accompanied with such flashes of lightning, and claps of thunder, that the like will hardly fall out in an age; upon which a whisper or rumour ran through the crowd, that now was the world to end, and the day of judgment to begin, and at this there followed a general consternation in the whole assembly, and all men forgot the business they were met about, and betook themselves to their prayers: this added to the horror raised by the storm looked very dismally; insomuch that my author, a man of no ordinary resolution and firmness of mind, confessed it made a great impression on himself. But he told me, that he did observe the judge was not a whit affected, and was going on with the business of the court in his ordinary manner; from which he made this conclusion, that his thoughts were so well fixed, that he believed if the world had been really to end, it would have given him no considerable disturbance.

But I shall now conclude all that I shall say concerning him, with what one of the greatest men of the profession of the law sent me as an abstract of the character he had made of him, upon long observation and much converse with him: it was sent me, that from thence, with the other materials, I might make

such a representation of him to the world as he indeed deserved, but I resolved not to shred it out in parcels, but to set it down entirely as it was sent me; hoping that as the reader will be much delighted with it, so the noble person that sent it will not be offended with me for keeping it entire, and setting it in the best light I could; it begins abruptly, being designed to supply the defects of others, from whom I had earlier and more copious informations.

"He would never be brought to discourse of public matters in private conversation but in questions of law; when any young lawyer put a case to him, he was very communicative, especially while he was at the bar; but when he came to the bench, he grew more reserved, and would never suffer his opinion in any case to be known till he was obliged to declare it judicially; and he concealed his opinion in great cases so carefully, that the rest of the judges in the same court could never perceive it: his reason was, because every judge ought to give sentence according to his own persuasion and conscience, and not to be swayed by any respect or deference to another man's opinion: and by this means it hath happened sometimes, that when all the barons of the exchequer had delivered their opinions, and

agreed in their reasons and arguments; yet he coming to speak last, and differing in judgment from them, hath expressed himself with so much weight and solidity, that the barons have immediately retracted their votes and concurred with him. He hath sat as a judge in all the courts of law, and in two of them as chief; but still wherever he sat, all business of consequence followed him, and no man was content to sit down by the judgment of any other court, till the case were brought before him, to see whether he were of the same mind; and his opinion being once known, men did readily acquiesce in it; and it was very rarely seen that any man attempted to bring it about again, and he that did so, did it upon great disadvantages, and was always looked upon as a very contentious person; so that what Cicero says of Brutus, did very often happen to him, *Etiam quos contra statuit æquos placatosque dimisit.*

"Nor did men reverence his judgment and opinion in courts of law only; but his authority was as great in courts of equity, and the same respect and submission was paid to him there too; and this appeared not only in his own court of equity in the exchequer chamber, but in the chancery too, for thither he was often called to advise and assist the lord

chancellor, or lord keeper for the time being; and if the cause were of difficult examination, or intricated and entangled with variety of settlements, no man ever showed a more clear and discerning judgment. If it were of great value, and great persons interested in it, no man ever showed greater courage and integrity in laying aside all respect of persons. When he came to deliver his opinion, he always put his discourse into such a method, that one part of it gave light to the other; and where the proceedings of chancery might prove inconvenient to the subject, he never spared to observe and reprove them. And from his observations and discourses, the chancery hath taken occasion to establish many of those rules by which it governs itself at this day.

"He did look upon equity as a part of the common law, and one of the grounds of it; and therefore, as near as he could, he did always reduce it to certain rules and principles, that men might study it as a science, and not think the administration of it had any thing arbitrary in it. Thus eminent was this man in every station, and into what court soever he was called, he quickly made it appear that he deserved the chief seat there.

"As great a lawyer as he was, he would never suffer the strictness of law to prevail against conscience; as great a chancellor as he was, he would make use of all the niceties and subtilties in law, when it tended to support right and equity. But nothing was more admirable in him than his patience. He did not affect the reputation of quickness and despatch by a hasty and captious hearing of the counsel: he would bear with the meanest, and gave every man his full scope, thinking it much better to lose time than patience. In summing up of an evidence to a jury, he would always require the bar to interrupt him if he did mistake, and to put him in mind of it if he did forget the least circumstance. Some judges have been disturbed at this as rudeness, which he always looked upon as a service and respect done to him.

"His whole life was nothing else but a continual course of labour and industry; and when he could borrow any time from the public service, it was wholly employed either in philosophical or divine meditations, and even that was a public service too, as it hath proved; for they have occasioned his writing of such treatises, as are become the choicest entertainment of wise and good men, and the

world hath reason to wish that more of them were printed. He that considers the active part of his life, and with what unwearied diligence and application of mind he despatched all men's business which came under his care, will wonder how he could find any time for contemplation. He that considers again the various studies he passed through, and the many collections and observations he hath made, may as justly wonder how he could find any time for action. But no man can wonder at the exemplary piety and innocence of such a life so spent as this was, wherein as he was careful to avoid every idle word, so it is manifest he never spent an idle day. They who come far short of this great man, will be apt enough to think that this is a panegyric, which indeed is a history, and but a little part of that history which was with great truth to be related of him: men who despair of attaining such perfection, are not willing to believe that any man else did ever arrive at such a height.

"He was the greatest lawyer of the age, and might have had what practice he pleased; but though he did most conscientiously affect the labours of his profession, yet at the same time he despised the gain of it; and of those profits which he would allow himself to re-

ceive; he always set apart a tenth penny for the poor, which he ever dispensed with that secrecy, that they who were relieved seldom or never knew their benefactor. He took more pains to avoid the honours and preferments of the gown, than others do to compass them. His modesty was beyond all example, for where some men who never attained to half his knowledge, have been puffed up with a high conceit of themselves, and have affected all occasions of raising their own esteem by depreciating other men, he, on the contrary, was the most obliging man that ever practised. If a young gentleman happened to be retained to argue a point in law, where he was on the contrary side, he would very often mend the objections when he came to repeat them, and always commend the gentleman if there were room for it, and one good word of his was of more advantage to a young man than all the favour of the court could be."

Having thus far pursued his history and character in the public and exemplary parts of his life, without interrupting the thread of the relation with what was private and domestic, I shall conclude with a short account of these.

He was twice married; his first wife was

Anne, daughter of Sir Henry Moore, of Faly in Berkshire, grandchild to Sir Francis Moore, serjeant at law. By her he had ten children; the four first died young, the other six lived to be all married; and he outlived them all, except his eldest daughter and his youngest son, who are yet alive.

His eldest son, Robert, married Frances, the daughter of Sir Francis Chock, of Avington in Berkshire; and they both dying in a little time one after another, left five children, two sons, Matthew and Gabriel, and three daughters, Anne, Mary, and Frances; and by the judge's advice, they both made him their executor; so he took his grandchildren into his own care, and among them he left his estate.

His second son, Matthew, married Anne, the daughter of Mr. Matthew Simmonds, of Hilsley in Gloucestershire, who died soon after, and left one son behind him, named Matthew.

His third son, Thomas, married Rebecca, the daughter of Christian Le Brune, a Dutch merchant, and died without issue.

His fourth son, Edward, married Mary, the daughter of Edmund Goodyere, Esq. of Heythorp in Oxfordshire, and still lives; he has two sons and three daughters.

His eldest daughter, Mary, was married to Edward Alderley, son of Edward Alderley, of Innishannon in the county of Cork, in Ireland, who dying left her with two sons and three daughters. She is since married to Edward Stephens, son to Edward Stephens, Esq. of Cherington in Gloucestershire.

His youngest daughter, Elizabeth, was married to Edward Webb, Esq. barrister at law; she died, leaving two children, a son and a daughter.

His second wife was Anne, the daughter of Mr. Joseph Bishop, of Faly in Berkshire, by whom he had no children. He gives her a great character in his will, as a most dutiful, faithful, and loving wife, and therefore trusted the breeding of his grandchildren to her care, and left her one of his executors, to whom he joined Sir Robert Jenkinson and Mr. Gibbon. So much may suffice of those descended from him.

In after-times it is not to be doubted but it will be reckoned no small honour to derive from him; and this has made me more particular in reckoning up his issue. I shall next give an account of the issues of his mind, his books, that are either printed, or remain in manuscript; for the last of these, by his will he has forbid the printing of any of them

after his death, except such as he should give order for in his life. But he seems to have changed his mind afterwards, and to have left it to the discretion of his executors which of them might be printed; for though he does not express that, yet he ordered by a codicil, "that if any book of his writing, as well touching the common law as other subjects, should be printed; then, what should be given for the consideration of the copy, should be divided into ten shares, of which he appointed seven to go among his servants, and three to those who had copied them out and were to look after the impression," The reason, as I have understood it, that made him so unwilling to have any of his works printed after his death was, that he apprehended in the licensing them, which was necessary, before any book could be lawfully printed, by a law then in force, but since his death determined, some things might have been struck out or altered: which he had observed, not without some indignation, had been done to a part of the Reports of one whom he had much esteemed.

"This in matters of law," he said, "might prove to be of such mischievous consequence, that he thereupon resolved none of his writings should be at the mercy of licensers;"

and therefore, because he was not sure that they should be published without expurgations or interpolations, he forbad the printing of any of them; in which he afterwards made some alteration, at least he gave occasion by his codicil to infer that he altered his mind.

This I have the more fully explained, that his last will may be no way misunderstood; and that his worthy executors, and his hopeful grandchildren, may not conclude themselves to be under an indispensable obligation of depriving the public of his excellent writings.*

Thus lived and died Sir Matthew Hale, the renowned Lord Chief Justice of England. He had one of the blessings of virtue in the highest measure of any of the age, that does not always follow it, which was, that he was universally much valued and admired by men of all sides and persuasions. For as none could hate him but for his justice and virtues, so the great estimation he was generally in, made, that few durst undertake to defend so ungrateful a paradox, as any thing said to lessen him would have appeared to be. His name is scarcely ever mentioned since his death, without particular accents of singular respect. His opinion in points of law gene-

* Dr. Burnet here gives a list of his works, for a corrected account of which see a subsequent page.

rally passes as an uncontrollable authority, and is often pleaded in all the courts of justice. And all that knew him well, do still speak of him as one of the most perfect patterns of religion and virtue they ever saw.

The commendations given him by all sorts of people are such, that I can hardly come under the censures of this age for any thing I have said concerning him; yet if this book lives to after-times, it will be looked on perhaps as a picture, drawn more according to fancy and invention, than after the life, if it were not that those who knew him well, establishing its credit in the present age, will make it pass down to the next with a clearer authority.

I shall pursue his praise no further in my own words, but shall add what the present lord chancellor of England, Sir Heneage Finch, said concerning him, when he delivered the commission to Lord Chief Justice Rainsford, who succeeded him in that office, which he began in this manner:

"The vacancy of the seat of the chief justice of this court, and that by a way and means so unusual as the resignation of him that lately held it, and this too proceeding from so deplorable a cause as the infirmity of that body which began to forsake the ablest

mind that ever presided here, hath filled the kingdom with lamentations, and given the King many and pensive thoughts how to supply that vacancy again." And a little after, speaking to his successor, he said, "The very labours of the place, and that weight and fatigue of business which attends it, are no small discouragements; for what shoulders may not justly fear that burthen which made him stoop that went before you? Yet I confess you have a greater discouragement than the mere burthen of your place, and that is, the inimitable example of your last predecessor: '*Onerosum est succedere bono principi,*' was the saying of him in the panegyric; and you will find it so too that are to succeed such a chief justice, of so indefatigable an industry, so invincible a patience, so exemplary an integrity, and so magnanimous a contempt of worldly things, without which no man can be truly great; and to all this a man that was so absolute a master of the science of the law, and even of the most abstruse and hidden parts of it, that one may truly say of his knowledge in the law, what St. Austin said of St. Hierom's knowledge in divinity, '*Quod Hieronimus nescivit, nullus mortalium unquam scivit.*' And therefore the King would not suffer himself to part with so

great a man, till he had placed upon him all the marks of bounty and esteem which his retired and weak condition was capable of."

To this high character, in which the expressions, as they well become the eloquence of him who pronounced them, so they do agree exactly to the subject, without the abatements that are often to be made for rhetoric, I shall add that part of the lord chief justice's answer, in which he speaks of his predecessor.

"A person in whom his eminent virtues and deep learning have long managed a contest for the superiority, which is not decided to this day, nor will it ever be determined, I suppose, which shall get the upper hand. A person that has sat in this court these many years, of whose actions there I have been an eye and ear witness, that by the greatness of his learning always charmed his auditors to reverence and attention: a person, of whom I think I may boldly say, that as former times cannot show any superior to him, so I am confident succeeding and future time will never show any equal. These considerations, heightened by what I have heard from your Lordship concerning him, made me anxious and doubtful, and put me to a stand how I should succeed so able, so good,

and so great a man. It doth very much trouble me that I, who in comparison of him am but like a candle lighted in the sunshine, or like a glowworm at mid-day, should succeed so great a person, that is and will be so eminently famous to all posterity; and I must ever wear this motto in my breast to comfort me, and in my actions to excuse me—

'Sequitur, quamvis non passibus æquis.'"

Thus were panegyrics made upon him while yet alive, in that same court of justice which he had so worthily governed. As he was honoured while he lived, so he was much lamented when he died; and this will still be acknowledged as a just inscription for his memory, though his modesty forbad any such to be put on his tomb-stone:

THAT HE WAS ONE OF THE GREATEST PATTERNS THIS AGE HAS AFFORDED, WHETHER IN HIS PRIVATE DEPORTMENT AS A CHRISTIAN, OR IN HIS PUBLIC EMPLOYMENTS, EITHER AT THE BAR OR ON THE BENCH.

ADDITIONAL NOTES

OF THE

LIFE AND DEATH

OF

SIR MATTHEW HALE,

WRITTEN BY RICHARD BAXTER, AT THE REQUEST OF EDW. STEPHENS, ESQ. PUBLISHER OF HIS CONTEMPLATIONS AND HIS FAMILIAR FRIEND.

SINCE the history of Judge Hale's life is published, written by Dr. Burnet very well, some men have thought, that because my familiarity with him was known, and the last time of a man's life is supposed to contain his maturest judgment, time, study, and experience correcting former oversights; and this great man who was most diligently and thirstily learning to the last, was like to be still wiser; the notice that I had of him in the latter years of his life should not be omitted.

I was never acquainted with him till 1667, and therefore have nothing to say of the former part of his life; nor of the latter, as to any public affairs, but only of what our fa-

miliar converse acquainted me: but the visible effects made me wonder at the industry and unwearied labours of his former life. Besides the four volumes against atheism and infidelity, in folio, which I after mention, when I was desired to borrow a manuscript of his law collections, he showed me, as I remember, about two and thirty folios, and told me, he had no other on that subject, collections out of the Tower Records, &c. and that the amanuensis' work that wrote them, cost him a thousand pounds. He was so set on study, that he resolvedly avoided all necessary diversions, and so little valued either grandeur, wealth, or any worldly vanity, that he avoided them to that notable degree, which incompetent judges took to be an excess. His habit was so coarse and plain, that I, who am thought guilty of a culpable neglect therein, have been bold to desire him to lay by some things which seemed too homely. The house which I surrendered to him, and wherein he lived at Acton, was indeed well situate, but very small, and so far below the ordinary dwellings of men of his rank, as that divers farmers thereabouts had better; but it pleased him. Many censured him for choosing his last wife below his quality: but the good man more regarded his own daily comfort, than men's thoughts

and talk. As far as I could discern, he chose one very suitable to his ends; one of his own judgment and temper, prudent, and loving, and fit to please him; and that would not draw on him the trouble of much acquaintance and relations. His housekeeping was according to the rest, like his estate and mind, but not like his place and honour: for he resolved never to grasp at riches, nor take great fees, but would refuse what many others thought too little. I wondered when he told me how small his estate was, after such ways of getting as were before him: but as he had little, and desired little, so he was content with little, and suited his dwelling, table, and retinue thereto. He greatly shunned the visits of many, or great persons, that came not to him on necessary business, because all his hours were precious to him, and therefore he contrived the avoiding of them, and the free enjoyment of his beloved privacy.

I must with a glad remembrance acknowledge, that while we were so unsuitable in places and worth, yet some suitableness of judgment and disposition made our frequent converse pleasing to us both. The last time but one, that I was at his house, he made me lodge there, and in the morning inviting me to more frequent visits said, no man shall be

more welcome; and he was no dissembler. To signify his love, he put my name as a legatee in his will, bequeathing me forty shillings. Mr. Stephens gave me two manuscripts, as appointed by him for me, declaring his judgment of our church contentions and their cure, aftermentioned. Though they are imperfect as written on the same question at several times, I had a great mind to print them, to try whether the common reverence of the author would cool any of our contentious clergy: but hearing that there was a restraint in his will, I took out part of a copy in which I find these words, "I do expressly declare, that I will have nothing of my writings printed after my death, but only such as I shall in my life-time deliver out to be printed." And not having received this in his life-time, nor to be printed in express terms, I am afraid of crossing the will of the dead, though he ordered them for me.

It showed his mean estate as to riches, that in his will he is put to distribute the profits of a book or two when printed, among his friends and servants. Alas! we that are great losers by printing, know that it must be a small gain that must thus accrue to them. Doubtless, if the Lord Chief Justice Hale had gathered money as other lawyers do that had less advantage,

as he wanted not will, so he would not have wanted power to have left them far greater legacies. But the servants of a self-denying mortified master, must be content to suffer by his virtues, which yet if they imitate him, will turn to their final gain.

God made him a public good, which is more than to get riches. His great judgment and known integrity commanded respect from those that knew him; so that I verily think, that no one subject since the days that history hath notified the affairs of England to us, went off the stage with greater and more universal love and honour; and what honour without love is, I understand not. I remember, when his successor, the Lord Chief Justice Rainsford, falling into some melancholy, came and sent to me for some advice, he did it, as he said, because Judge Hale desired him so to do; and expressed so great respect to his judgment and writings, as I perceived much prevailed with him. And many have profited by his contemplations, who would never have read them, had they been written by such a one as I. Yet among all his books and discourses, I never knew of these until he was dead.

His resolution for justice was so great, that I am persuaded, that no wealth nor honour

would have hired him knowingly to do one unjust act. And though he left us in sorrow, I cannot but acknowledge it a great mercy to him, to be taken away when he was. Alas! what would the good man have done, if he had been put by plotters, and traitors, and swearers, and forswearers, upon all that his successors have been put to? In likelihood, even all his great wisdom and sincerity, could never have got him through such a wilderness of thorns, and briars, and wild beasts, without tearing in pieces his entire reputation, if he had never so well secured his conscience. O! how seasonably did he avoid the tempest and go to Christ. And so have so many excellent persons since then, and especially within the space of one year, as may well make England tremble at the prognostick, that the righteous are taken as from the evil to come. And alas! what an evil is it like to be? We feel our loss. We fear the common danger. But what believer can choose but acknowledge God's mercy to them, in taking them up to the world of light, love, peace, and order, when confusion is coming upon this world, by darkness, malignity, perfidiousness and cruelty. Some think that the last conflagration shall turn this earth into hell. If so, who would not first

be taken from it? And when it is so like to hell already, who would not rather be in heaven?

Though some mistook this man for a mere philosopher or humanist, that knew him not within; yet his most serious description of the sufferings of Christ, and his copious volumes to prove the truth of the scripture, Christianity, our immortality, and the Deity, do prove so much reality in his faith and devotion, as makes us past doubt of the reality of his reward and glory. When he found his belly swell, his breath and strength much abate, and his face and flesh decay, he cheerfully received the sentence of death: and though Dr. Glisson by mere oximel squillitiicum, seemed a while to ease him, yet that also soon failed him; and he told me he was prepared and contented comfortably to receive his change. And accordingly he left us, and went into his native country of Gloucestershire to die, as the history tells you.

Mr. Edward Stephens being most familiar with him, told me his purpose to write his life: and desired me to draw up the mere narrative of my short familiarity with him; which I did as followeth: by hearing no more of him, cast it by; but others desiring it, upon the sight of the published history of his life

by Dr. Burnet, I have left it to the discretion of some of them, to do with it what they will. And being half dead already in those dearest friends who were half myself, am much the more willing to leave this mole-hill and prison of earth, to be with that wise and blessed society, who being united to their head in glory, do not envy, hate, or persecute each other, nor forsake God, nor shall ever be forsaken by him. R. B.

Note, That this narrative was written two years before Dr. Burnet's; and it is not to be doubted but that he had better information of his manuscripts, and some other circumstances, than I. But of those manuscripts directed to me, about the soul's immortality, of which I have the originals under his hand, and also of his thoughts of the subjects mentioned by me, from 1671, till he went to die in Gloucestershire, I had the fullest notice.

ADDITIONAL NOTES

ON THE

LIFE AND DEATH

OF

SIR MATTHEW HALE.

TO MY WORTHY FRIEND MR. STEPHENS, THE PUBLISHER OF JUDGE HALE'S CONTEMPLATIONS.

SIR,

You desired me to give you notice of what I knew, in my personal converse, of the great lord chief justice of England, Sir Matthew Hale. You have partly made any thing of mine unmeet for the sight of any but yourself and his private friends, to whom it is useless, by your divulging those words of his extraordinary favour to me, which will make it thought that I am partial in his praises. And indeed that excessive esteem of his, which you have told men of, is a divulging of his imperfection, who did overvalue so unworthy a person as I know myself to be.

I will promise you to say nothing but the truth; and judge of it and use it as you please.

My acquaintance with him was not long: and I looked on him as an excellent person studied in his own way, which I hoped I should never have occasion to make much use of; but I thought not so versed in our matters as ourselves. I was confirmed in this conceit by the first report I had from him, which was his wish, that Dr. Reignolds, Mr. Calamy, and I, would have taken bishopricks, when they were offered us by the lord chancellor, as from the King, in 1660, as one did; I thought he understood not our case, or the true state of English prelacy. Many years after when I lived at Acton, he being lord chief baron of the exchequer, suddenly took a house in the village. We sat next seats together at church many weeks, but neither did he ever speak to me, or I to him. At last, my extraordinary friend, to whom I was more beholding than I must here express, Serjeant Fountain, asked me why I did not visit the lord chief baron? I told him, because I had no reason for it, being a stranger to him; and had some against it, viz. that a judge, whose reputation was necessary to the ends of his office, should not be brought under court suspicion, or disgrace, by his familiarity with a person, whom the interest and diligence of some prelates had rendered so odious, as I knew myself to be with

such; I durst not be so injurious to him. The serjeant answered, it is not meet for him to come first to you; I know why I speak it: let me entreat you to go first to him. In obedience to which request I did it; and so we entered into neighbourly familiarity. I lived then in a small house, but it had a pleasant garden and backside, which the honest landlord had a desire to sell. The judge had a mind to the house; but he would not meddle with it, till he got a stranger to me to come and inquire of me whether I was willing to leave it? I told him I was not only willing but desirous, not for my own ends, but for my landlord's sake, who must needs sell it: and so he bought it, and lived in that poor house, till his mortal sickness sent him to the place of his interment.

I will truly tell you the matter and the manner of our converse. We were oft together, and almost all our discourse was philosophical, and especially about the nature of spirits and superior regions; and the nature, operations, and immortality of man's soul. And our disposition and course of thoughts were in such things so like, that I did not much cross the bent of his conference. He studied physics, and got all new or old books of philosophy that he could meet with, as eagerly as

if he had been a boy at the University. Mousnerius, and Honoratus Faber, he deservedly much esteemed; but yet took not the latter to be without some mistakes. Mathematics he studied more than I did, it being a knowledge which he much more esteemed than I did; who valued all knowledge by the greatness of the benefit, and necessity of the use; and my unskilfulness in them, I acknowledge my great defect, in which he much excelled. But we were both much addicted to know and read all the pretenders to more than ordinary in physics; the Platonists, the Peripatetics, the Epicureans, and especially their Gassendus, Telesius, Campanella, Patricius, Lullius, White, and every sect that made us any encouraging promise. We neither of us approved of all in Aristotle; but he valued him more than I did. We both greatly disliked the principles of Cartesius and Gassendus, much more of the Bruitists, Hobbes and Spinosa; especially their doctrine *de motu*, and their obscuring or denying nature itself, even the *principia motus*, the *virtutes formales*, which are the causes of operations.

Whenever we were together, he was the spring of our discourse, as choosing the subject: and most of it still was of the nature of spirits, and the immortality, state, and operations

of separated souls. We both were conscious of human darkness, and how much of our understandings, quiet in such matters, must be fetched from our implicit trust in the goodness and promises of God, rather than from a clear and satisfying conception of the mode of separated souls' operations; and how great use we have herein of our faith in Jesus Christ, as he is the undertaker, mediator, the Lord and lover of souls, and the actual possessor of that glory. But yet we thought, that it greatly concerned us, to search as far as God allowed us, into a matter of so great moment; and that even little and obscure prospects into the heavenly state, are more excellent than much and applauded knowledge of transitory things.

He was much in urging difficulties and objections; but you could not tell by them what was his own judgment: for when he was able to answer them himself, he would draw out another's answer.

He was but of a slow speech, and sometimes so hesitating, that a stranger would have thought him a man of low parts, that knew not readily what to say, though ready at other times. But I never saw Cicero's doctrine de Oratore more verified in any man,

that furnishing the mind with all sorts of knowledge is the chief thing to make an excellent orator; for when there is abundance and clearness of knowledge in the mind, it will furnish even a slow tongue to speak that which by its congruence and verity shall prevail. Such a one never wants moving matter, nor an answer to vain objectors.

The manner of our converse was as suitable to my inclination as the matter. For whereas many bred in universities, and called scholars, have not the wit, manners, or patience, to hear those that they discourse with speak to the end, but through list and impotency cannot hold; but cut off a man's speech when they hear any thing that urgeth them, before the latter part make the former intelligible or strong, when oft the proof and use is reserved to the end; liker scolds than scholars; as if they commanded silence at the end of each sentence to him that speaketh, or else would have two talk at once: I do not remember that ever he and I did interrupt each other in any discourse. His wisdom and accustomed patience caused him still to stay for the end. And though my disposition have too much forwardness to speak, I had not so little wit or manners, as to interrupt him;

whereby we far better understood each other, than we could have done in chopping and maimed discourse.

He was much for coming to philosophical knowledge by the help of experiments: but he thought that our new philosophers, as some call the Cartesians, had taken up many fallacies as experiments, and had made as unhappy a use of their trials, as many empyricks and mountebanks do in medicine: and that Aristotle was a man of far greater experience, as well as study, than they. He was wont to say, that lads at the universities had found it a way to be thought wiser than others, to join with boasters that cried down the ancients before they understood them; for he thought that few of these contemners of Aristotle had ever so far studied him, as to know his doctrine, but spoke against they knew not what; even as some secular theologues take it to be the way to be thought wise men and orthodox, to cant against some party or sect which they have advantage to contemn. It must cost a man many years' study to know what Aristotle held. But to read over Magirus, and perhaps the Conimbricenses or Zabarell, and then prate against Aristotle, requireth but a little time and labour. He could well bear it, when one that had tho-

roughly studied Aristotle, dissented from him in any particular upon reason; but he loathed it in ignorant men, that were carried to it by shameful vanity of mind.

His many hard questions, doubts and objections to me, occasioned me to draw up a small tract of the nature and immortality of man's soul, as proved by natural light alone, by way of questions and answers; in which I had not baulked the hardest objections and difficulties that I could think of, conceiving that Atheists and Sadducees are so unhappily witty, and Satan such a tutor, that they are as like to think of them as I. But the good man, when I sent it to him, was wiser than I, and sent me word in his return, that he would not have me publish it in English, nor without some alterations of the method; because though he thought I had sufficiently answered all the objections, yet ordinary readers would take deeper into their minds such hard objections as they never heard before, than the answer, how full soever, would be able to overcome; whereupon, not having leisure to translate and alter it, I cast it by.

He seemed to reverence and believe the opinion of Dr. Willis, and such others, *de animis brutorum*, as being not spiritual substances.

But when I sent him a confutation of them, he seemed to acquiesce, and as far as I could judge, did change his mind; and had higher thoughts of sensitive natures, than they that take them to be some evanid qualities, proceeding from contexture, attemperation, and motion.

Yet he and I did think, that the notion of immateriality had little satisfactory to acquaint us with the nature of a spirit, not telling us any thing what it is, but what it is not. And we thought, that the old Greek and Latin doctors cited by Faustus Rhegiculis, whom Mamertus answereth, did mean by a body or matter of which the said spirits did consist, the same thing as we now mean by the substance of spirits, distinguishing them from mere accidents. And we thought it a matter of some moment, and no small difficulty, to tell what men mean here by the word substance, if it be but a relative notion, because it doth *substare accidentibus & subsistere per se*, relation is not proper substance. It is substance that doth so subsist: it is somewhat, and not nothing, nor an accident. Therefore if more than relation must be meant, it will prove hard to distinguish substance from substance by the notion of immateriality. Souls have no shadows; they are not palpa-

ble and gross; but they are substantial life, as virtues. And it is hard to conceive, how a created *vis vel virtus* should be the adequate *conceptus* of a spirit, and not rather an inadequate, supposing the *conceptus* of *substantia fundamentalis*, as Dr. Glisson calls it *de vita naturæ*, seeing *omnis virtus est rei alieni virtus.*

Yet he yielded to me, that *virtus seu vis vitalis*, is not *animæ accidens*, but the *conceptus formalis spiritus*, supposing *substantia* to be the *conceptus fundamentalis*: and both together express the essence of a spirit.

Every created being is passive; for *recipit in fluxum causæ primæ.* God transcendeth our defining skill: but where there is receptivity, many ancients thought there were some pure sort of materiality: and we say, there is receptive substantiality: and who can describe the difference, laying aside the formal virtues that difference things, between the highest material substance, and the lowest substance, called immaterial?

We were neither of us satisfied with the notions of penetrability and indivisibility, as sufficient differences. But the *virtutes specificæ* plainly difference.

What latter thoughts, a year before he died, he had of these things, I know not: but

some say, that a treatise of this subject, the soul's immortality, was his last finished work, promised in the end of his treatise of man's origination; and if we have the sight of that, it will fuller tell us his judgment.

One thing I must notify to you, and to those that have his manuscripts, that when I sent him a scheme, with some elucidations, he wrote me on that, and my treatise of the soul, almost a quire of paper of animadversions; by which you must not conclude at all of his own judgment; for he professed to me, that he wrote them to me, not as his judgment, but, as his way was, as the hardest objections which he would have satisfaction in. And when I had written him a full answer to all, and have been oft since with him, he seemed satisfied. You will wrong him therefore, if you should print that written to me as his judgment.

As to his judgment about religion; our discourse was very sparing about controversies. He thought not fit to begin with me about them, nor I with him: and as it was in me, so it seemed to be in him, from a conceit that we were not fit to pretend to add much to one another.

About matters of conformity, I could gladly have known his mind more fully: but I

thought it unmeet to put such questions to a judge, who must not speak against the laws; and he never offered his judgment to me. And I knew, that as I was to reverence him in his own profession, so in matters of my profession and concernment, he expected not that I should think as he, beyond, the reasons which he gave.

I must say that he was of opinion, that the wealth and honour of the bishops was convenient, to enable them the better to relieve the poor, and rescue the inferior clergy from oppression, and to keep up the honour of religion in the world. But all this on supposition, that it would be in the hands of wise and good men, or else it would do as much harm. But when I asked him, whether great wealth and honour would not be most earnestly desired and sought by the worst of men, while good men would not seek them? And whether he that was the only fervent seeker, was not likeliest to obtain, except under some rare extraordinary prince? And so whether it was not like to entail the office on the worst, and to arm Christ's enemies against him to the end of the world, which a provision that had neither alluring nor much discouraging temptation might prevent, he gave me no answer. I have heard some say,

if the Pope were a good man, what a deal of good might he do! But have Popes therefore blessed the world?

I can say truly, that he greatly lamented the negligence, and ill lives, and violence of some of the clergy; and would oft say, What have they their calling, honour and maintenance for, but to seek the instructing and saving of men's souls?

He much lamented, that so many worthy ministers were silenced, the church weakened, papists strengthened, the cause of love and piety greatly wronged and hindered by the present differences about conformity. And he hath told me his judgment, that the only means to heal us was, a new act of uniformity, which should neither leave all at liberty, nor impose any thing but necessary.

I had once a full opportunity to try his judgment far in this. It pleased the Lord Keeper Bridgman to invite Dr. Manton and myself, to whom Dr. Bates at our desire was added, to treat with Dr. Wilkins and Dr. Burton about the terms of our reconciliation and restoration to our ministerial liberty. After some days' conference, we came to agreement in all things, as to the necessary terms. And because Dr. Wilkins and I had special intimacy with Judge Hale, we desired

him to draw it up in the form of an act, which he willingly did, and we agreed to every word. But it pleased the House of Commons, hearing of it, to begin their next session with a vote, that no such bill should be brought in; and so it died.

Query. 1. Whether after this and other such agreement, it be ingenuity, or somewhat else, that hath ever since said, we know not what they would have? And that at once call out to us, and yet strictly forbid us to tell them what it is we take for sin, and what we desire.

2. Whether it be likely, that such men as Bishop Wilkins, and Dr. Burton, and Judge Hale, would consent to such terms of our concord, as should be worse than our present condition of division and compulsion is? And whether the maintainers of our dividing impositions, be all wiser and better men than this judge and that bishop were?

3. And whether it be any distance of opinion, or difficulty of bringing us to agreement, that keepeth England in its sad divisions; or rather some men's opinion, that our unity itself is not desirable, lest it strengthen us? The case is plain.

His behaviour in the church was conformable, but prudent. He constantly heard a

curate, too low for such an auditor. In common-prayer he behaved himself as others, saving that, to avoid the differencing of the gospels from the epistles, and the bowing at the name of Jesus, from the names, Christ, Saviour, God, &c. He would use some equality in his gestures, and stand up at the reading of all God's word alike.

I had but one fear or suspicion concerning him, which since I am assured was groundless: I was afraid lest he had been too little for the practical part of religion, as to the working of the soul towards God, in prayer, meditation, &c. because he seldom spake to me of such subjects, nor of practical books, or sermons; but was still speaking of philosophy, or of spirits, souls, the future state, and the nature of God. But at last I understood that his averseness to hypocrisy made him purposely conceal the most of such of his practical thoughts and works, as the world now findeth by his contemplations and other writings.

He told me once, how God brought him to a fixed honour and observation of the Lord's day: that when he was young, being in the west, the sickness or death of some relation at London, made some matter of estate to become his concernment; which required his

hastening to London from the west: and he was commanded to travel on the Lord's day; but I cannot well remember how many cross accidents befel him in his journey; one horse fell lame, another died, and much more; which struck him with such sense of divine rebuke, as he never forgot.

When I went out of the house, in which he succeeded me, I went into a greater, over-against the church-door. The town having great need of help for their souls, I preached between the public sermons in my house, taking the people with me to the church, to common prayer and sermon, morning and evening. The judge told me that he thought my course did the church much service; and would carry it so respectfully to me at my door, that all the people might perceive his approbation. But Dr. Reeves could not bear it, but complained against me; and the Bishop of London caused one Mr. Rosse of Brainford, and Mr. Philips, two justices of the peace, to send their warrants to apprehend me. I told the judge of the warrant, but asked him no counsel, nor he gave me none; but with tears showed his sorrow: the only time that ever I saw him weep. So I was sent to the common gaol for six months, by these two justices, by the procurement of

the said Dr. Reeves, his majesty's chaplain, dean of Windsor, dean of Wolverhampton, parson of Horseley, and parson of Acton. When I came to move for my release upon a habeas corpus, by the counsel of my great friend Serjeant Fountain, I found that the character which Judge Hale had given of me, stood me in some stead; and every one of the four judges of the common pleas, did not only acquit me, but said more for me than my counsel, viz. Judge Wild, Judge Archer, Judge Tyrrel, and the Lord Chief Justice Vaughan; and made me sensible how great a part of the honour of his majesty's government, and the peace of the kingdom, consisted in the justice of the judges.

And indeed Judge Hale would tell me, that Bishop Usher was much prejudiced against lawyers, because the worst causes find their advocates; but that he and Mr. Selden had convinced him of the reasons of it, to his satisfaction: and that he did by acquaintance with them, believe that there were as many honest men among lawyers, proportionably, as among any profession of men in England, not excepting bishops or divines.

And I must needs say, that the improvement of reason, the diverting men from sensuality and idleness, the maintaining of pro-

priety and justice, and consequently the peace and welfare of the kingdom, is very much to be ascribed to the judges, and lawyers.

But this imprisonment brought me the great loss of converse with Judge Hale: for the parliament in the next act against conventicles, put into it divers clauses, suited to my case; by which I was obliged to go dwell in another county, and to forsake both London and my former habitation; and yet the justices of another county were partly enabled to pursue me.

Before I went, the judge had put into my hand four volumes in folio, which he had written, to prove the being and providence of God, the immortality of the soul, and life to come; the truth of Christianity, and of every book of the scripture by itself, besides the common proofs of the whole. Three of the four volumes I had read over, and was sent to the gaol before I read the fourth. I turned down a few leaves for some small animadversions, but had no time to give them him. I could not then persuade him to review them for the press. The only fault I found with them of any moment, was that great copiousness, the effect of his fulness and patience, which will be called tediousness by impatient readers.

When we were separated, he, that would

receive no letters from any man, about any matters which he was to judge, was desirous of letter converse about our philosophical and spiritual subjects. I having then begun a Latin *methodus theologiæ*, sent him one of the schemes before mentioned, containing the generals of the philosophical part, with some notes upon it; which he so over-valued, that he urged me to proceed in the same way. I objected against putting so much philosophy, though mostly but *de homine*, in a method of theology: but he rejected my objections, and resolved me to go on.

At last it pleased God to visit him with his mortal sickness. Having had the stone before, which he found thick pond-water better ease him of than the gravel spring-water, in a cold journey an extraordinary flux of urine took him first, and then such a pain in his side, as forced him to let much blood, more than once, to save him from sudden suffocation or oppression. Ever after which he had death in his lapsed countenance, flesh, and strength, with shortness of breath. Dr. Willis, in his life-time, wrote his case without his name, in an observation in his pharmaceut, &c. which was shortly printed after his own death, and before his patient's: but, I dare say it, so crudely as is no honour to that book.

When he had striven awhile under his disease, he gave up his place, not so much from the apprehension of the nearness of his death, for he could have died comfortably in his public work, but from the sense of his disability to discharge his part: but he ceased not his studies, and that upon points which I could have wished him to let go, being confident that he was not far from his end.

I sent him a book which I newly published, for reconciling the controversies about predestination, redemption, grace, free-will, but desired him not to bestow too much of his precious time upon it: but, before he left his place, I found him at it so oft, that I took the boldness to tell him, that I thought more practical writings were more suitable to his case, who was going from this contentious world. He gave me but little answer; but I after found that he plied practicals and contemplatives in their season; which he never thought meet to give me any account of. Only in general he oft told me, that the reason and season of his writings, against Atheism, &c. aforesaid, were, both in his circuit at home, he used to set apart some time for meditation, especially after the evening public worship every Lord's Day; and that he

could not so profitably keep his thoughts in connection and method, otherwise, as by writing them down; and withal, that if there were any thing in them useful, it was the way to keep it for after-use: and therefore for the better management, for the accountableness and the after-use, he had long accustomed to pen his meditations; which gave us all of that nature that he hath left us.

Notwithstanding his own great furniture of knowledge, and he was accounted by some somewhat tenacious of his conceptions, for men that know much, cannot easily yield to the expectations of less knowing men, yet I must say, that I remember not that ever I conversed with a man that was readier to receive and learn. He would hear as patiently, and recollect all so distinctly, and then try it so judiciously, not disdaining to learn of an inferior in some things, who in more had need to learn of him, that he would presently take what some stand wrangling against many years. I never more perceived in any man, how much great knowledge and wisdom facilitate additions, and the reception of any thing not before known. Such a one presently perceiveth that evidence which another is incapable of.

For instance, the last time but one that

I saw him, in his weakness at Acton, he engaged me to explicate the doctrine of divine government and decree, as consistent with the sin of man. And when I had distinctly told him, 1. What God did, as the author of nature, physically; 2. What he did as legislator, morally; and 3. What he did, as benefactor, and by special grace; 4. And where permission came in, and where actual operation; 5. And so, how certainly God might cause the effects, and not cause the volitions, as determinate to evil,—though the volition and effect being called by one name, as theft, murder, adultery, lying, &c. oft deceive men,—he took up all that I had said in order, and distinctly twice over repeated each part in its proper place, and with its reason: and when he had done, said, that I had given him satisfaction.

Before I knew what he did himself in contemplations, I took it not well that he more than once told me, "Mr. Baxter, I am more beholden to you than you are aware of; and I thank you for all, but especially for your scheme, and your catholic theology." For I was sorry, that a man that I thought so near death, should spend much of his time on such controversies, though tending to end them. But he continued after, near a year,

and had leisure for contemplations which I knew not of.

When I parted with him, I doubted which of us would be first at heaven: but he is gone before, and I am at the door, and somewhat the willinger to go, when I think such souls as his are there.

When he was gone to Gloucestershire, and his contemplations were published by you, I sent him the confession of my censures of him, how I had feared that he had allowed too great a share of his time and thoughts to speculation, and too little to practicals, but rejoiced to see the conviction of my error: and he returned me a very kind letter, which was the last.

Some censured him for living under such a curate at Acton, thinking it was in his power to have got Dr. Reeves, the parson, to provide a better. Of which I can say, that I once took the liberty to tell him, that I feared too much tepidity in him, by reason of that thing; not that he needed himself a better teacher, who knew more, and could overlook scandals; but for the sake of the poor ignorant people, who greatly needed better help. He answered me, that if money would do it, he would willingly have done it; but the doctor was a man not to be dealt with;

which was the hardest word that I remember I ever heard him use of any: for I never knew any man more free from speaking evil of others behind their backs. Whenever the discourse came up to the faultiness of any individuals, he would be silent: but the sorts of faulty persons he would blame with cautelous freedom, especially idle, proud, scandalous, contentious, and factious clergymen. We agreed in nothing more than that which he oft repeateth in the papers which you gave me, and which he oft expressed, viz. that true religion consisteth in great, plain, necessary things, the life of faith and hope, the love of God and man, an humble self-denying mind, with mortification of worldly affection, carnal lust, &c. And that the calamity of the church, and withering of religion, hath come from proud and busy men's additions, that cannot give peace to themselves and others, by living in love and quietness on this Christian simplicity of faith and practice, but vex and turmoil the church with these needless and hurtful superfluities; some by their decisions of words, or unnecessary controversies; and some by their restless reaching after their own worldly interest, and corrupting the church, on pretence of raising and defending it; some by their

needless ceremonies, and some by their superstitious and causeless scruples. But he was especially angry at them that would so manage their differences about such things, as to show, that they had a greater zeal for their own additions, than for the common saving truths and duties which we were all agreed in; and that did so manage their several little and selfish causes, as wounded or injured the common cause of the Christian and reformed churches. He had a great distaste of the books called a Friendly Debate, &c. and Ecclesiastical Polity, as from an evil spirit, injuring scripture phrase, and tempting the Atheists to contemn all religion, so they might but vent their spleen, and be thought to have the better of their adversaries; and would say, how easy is it to requite such men, and all parties to expose each other to contempt! Indeed, how many parishes in England afford too plenteous matter of reply to one that took that for his part; and of tears to serious observers!

His main desire was, that as men should not be peevishly quarrelsome against any lawful circumstances, forms, or orders in religion, much less think themselves godly men, because they can fly from other men's circumstances, or settled lawful orders as sin;

so especially, that no human additions of opinion, order, modes, ceremonies, professions, or promises, should ever be managed to the hindering of Christian love and peace, nor of the preaching of the Gospel, nor the wrong of our common cause, or the strengthening of Atheism, infidelity, profaneness, or Popery; but that Christian verity and piety, the love of God and man, and a good life, and our common peace in these, might be first resolved on and secured, and all our additions might be used, but in due subordination to these, and not to any injury of any of them; nor sects, parties, or narrow interests be set up against the common duty, and the public interest and peace.

I know you are acquainted how greatly he valued Mr. Selden, being one of his executors; his books and picture being still near him. I think it meet therefore to remember, that because many Hobbists do report that Mr. Selden was at the heart an infidel, and inclined to the opinions of Hobbes, I desired him to tell me the truth herein: and he oft professed to me, that Mr. Selden was a resolved serious Christian; and that he was a great adversary to Hobbes's errors; and that he had seen him openly oppose him so earnestly as either to depart from him, or drive

him out of the room. And as Mr. Selden was one of those called Erastians, as his book de Synedriis and others show, yet owned the office properly ministerial: so most lawyers that ever I was acquainted with, taking the word jurisdiction to signify something more than the mere doctoral, priestly power, and power over their own sacramental communion in the church which they guide, do use to say, that it is primarily in the magistrate, as no doubt all power of corporal coercion by mulcts and penalties is. And as to the accidentals to the proper power of priesthood, or the keys, they truly say with Dr. Stillingfleet, that God hath settled no one form.

Indeed, the lord chief justice thought, that the power of the word and sacraments in the ministerial office, was of God's institution; and that they were the proper judges appointed by Christ, to whom they themselves should apply sacraments, and to whom they should deny them. But that the power of chancellor's courts, and many modal additions, which are not of the essence of the priestly office, floweth from the King, and may be fitted to the state of the kingdom. Which is true, if it be limited by God's laws, and exercised on things only allowed them to

deal in, and contradict not the orders and powers settled on by Christ and his apostles.

On this account he thought well of the form of government in the Church of England; lamenting the miscarriages of many persons, and the want of parochial reformation: but he was greatly for uniting in love and peace, upon so much as is necessary to salvation, with all good, sober, peaceable men.

And he was much against the corrupting of the Christian religion, whose simplicity and purity he justly took to be much of its excellency, by men's busy additions, by wit, policy, ambition, or any thing else which sophisticateth it, and maketh it another thing, and causeth the lamentable contentions of the world.

What he was as a lawyer, a judge, a Christian, is so well known, that I think for me to pretend that my testimony is of any use, were vain. I will only tell you what I have written by his picture, in the front of the great Bible which I bought with his legacy, in memory of his love and name, viz.

"Sir Matthew Hale, that unwearied student, that prudent man, that solid philosopher, that famous lawyer, that pillar and basis of justice, who would not have done an unjust act for any

worldly price or motive, the ornament of his majesty's government, and honour of England; the highest faculty of the soul of Westminster-hall, and pattern to all the reverend and honourable judges; that godly, serious, practical Christian, the lover of goodness and all good men; a lamenter of the clergy's selfishness, and unfaithfulness, and discord, and of the sad divisions following hereupon; an earnest desirer of their reformation, concord, and the church's peace, and of a reformed act of uniformity, as the best and necessary means thereto; that great contemner of the riches, pomp and vanity of the world; that pattern of honest plainness and humility, who while he fled from the honours that pursued him, was yet lord chief justice of the king's bench, after his being long lord chief baron of the exchequer; living and dying, entering on, using, and voluntarily surrendering his place of judicature, with the most universal love, and honour, and praise, that ever did English subject in this age, or any that just history doth acquaint us with, &c. This man, so wise, so good, so great, bequeathing me in his testament the legacy of forty shillings, merely as a testimony of his respect and love, I thought this book, the testament of Christ, the meetest

purchase by that price, to remain in memorial of the faithful love, which he bare and long expressed to his inferior and unworthy, but honouring friend, who thought to have been with Christ before him, and waiteth for the day of his perfect conjunction with the spirits of the just made perfect."

RICHARD BAXTER.

The following complete list of the published works of Sir Matthew Hale, extracted from the "Biographical Dictionary" of Chalmers, is substituted for that given by Dr. Burnet.

Works published by himself.

1. An Essay touching the Gravitation or Non-gravitation of Fluid Bodies, and the reasons thereof. 2. Difficiles Nugæ; or Observations touching the Torricellian Experiment, and the various solutions of the same, especially touching the weight and elasticity of the Air. 3. Observations touching the principles of Natural Motion, and especially touching Rarefaction and Condensation; together with a Reply to certain Remarks touching the Gravitation of Fluids. 4. Contemplations, Moral and Divine, in Three Parts. 5. The Life and Death of Pomponius Atticus, written by his contemporary and acquaintance Cornelius Nepos; translated out of his Fragments; together with Observations, political and moral, thereupon. 6. The primitive Origination of Mankind considered and examined according to the Light of Nature.

Works published after his decease.

1. Judgment of the Nature of true Religion, the causes of its Corruption, and the Church's Calamity by men's addition and violences,

with the desired Cure. 2. Several Tracts; as, a "Discourse of Religion" under three heads, &c. 3. A Letter to his Children, advising them how to behave in their speech, &c. 4. A Letter to one of his Sons, after his recovery from the Small Pox. 5. Discourse of the Knowledge of God and of ourselves; first by the Light of Nature, secondly by the Sacred Scriptures.

All the preceding, under the title of his "Moral and Religious Works," were re-published by the Rev. Thomas Thirlwall, 1805, 2 vols. with his Life, &c.

6. Counsels of a Father, 12mo. 1821.

7. Letters to his Grandchildren, 12mo. 1823.

Of his Law tracts, one only was printed in his life-time, viz.: "London Liberty, or an argument of Law and Reason," 1650, which was reprinted in 1682, under the title of "London's Liberties, or the opinions of those great lawyers, Lord Chief Justice Hale, Mr. Justice Wild, and Serjeant Maynard, about the election of Mayor, Sheriffs, Aldermen, and Common Council of London, and concerning their charter."—In 1668 he wrote a preface to Rolle's Abridgment, which he published with the whole of that work.

After his death appeared, 1. "The Pleas of the Crown, or a Methodical Summary,"

1678, 8vo. continued by Jacob, and reprinted in 1716. To this edition is often annexed, "The Treatise of Sheriffs' Accounts," and "The Trial of the Witches." It must not be concealed that this otherwise learned and sagacious man was so far prejudiced by early opinions, as to believe in witchcraft, and to preside on the trials of some persons accused of it. The "Pleas" has passed through seven editions, the last of which was in 1773. It was not, however, considered by the author as a complete work, but intended as a plan for his "Historia Placitorum Coronæ," of which hereafter. 2. "Treatise showing how useful, &c. the inrolling and registering of all conveyances of land," 1694, 4to. reprinted with additions in 1756. 3. "Tractatus de Successionibus apud Anglos, or a Treatise of Hereditary Descents," 1700, and 1735, 8vo. This forms a chapter in his "History of the Common Law." 4. "A Treatise on the original Institution, &c. of Parliaments," 1707, republished by Francis Hargrave, &c. in 1796, 4to. under the title of "Hale's Jurisdiction of the House of Lords," with an introductory preface, including a narrative of the same jurisdiction, from the accession of James I. 5. "Analysis of the Law," without date, but seems to have been only a design for, 6.

" History of the Common Law of England, in twelve chapters," 1713, 8vo. a fourth and fifth edition of which were published in 1779 and 1794, 2 vols. 8vo. by Mr. Serjeant Runnington. 7. " Historia Placitorum Coronæ, or History of the Pleas of the Crown," 1739, 2 vols. folio, edited by Sollom Emlyn, esq. and again in 1772, by George Wilson, esq. 2 vols. 8vo. and lastly in the same size, in 1800, by Thomas Dogherty, esq. There are a few other tracts and opinions published by Mr. Hargrave and other law-writers in their collections.

Manuscripts mentioned by Dr. Burnet, as not yet published. [1682.]

1. Concerning the secondary Origination of Mankind. folio.
2. Concerning Religion, 5 vols. in folio, viz. : 1. De Deo, Vox Metaphysica, parts 1 and 2. 2. Pars 3. Vox Naturæ, Providentiæ, Ethicæ, Conscientiæ. 3. Liber sextus, septimus, octavus. 4. Pars 9. Concerning the Holy Scriptures, their Evidence and Authority. 5. Concerning the Truth of the Holy Scripture, and the Evidences thereof.
3. Of Policy in matters of Religion. folio.
4. De Anima, to Mr. B. folio.

5. De Anima, Transactions between him and Mr. B. folio.
6. Tentamina de ortu, natura, et immortalitate Animæ. folio.
7. Magnetismus Magneticus. folio.
8. Magnetismus Physicus. folio.
9. Magnetismus Divinus.
10. De Generatione Animalium et Vegetabilium. folio, Latin.
11. Of the Law of Nature. folio.
12. A Letter of Advice to his Grandchildren. quarto.
13. Placita Coronæ, 7 vols. folio.
14. Preparatory Notes concerning the Right of the Crown. folio.
15. Incepta de Juribus Coronæ. folio.
16. De Prerogativa Regis. folio.
17. Preparatory Notes touching Parliamentary proceedings, 2 vols. quarto.
18. Of the Jurisdiction of the House of Lords. quarto.
19. Of the Jurisdiction of the Admiralty.
20. Touching Ports and Customs. folio.
21. Of the Right of the Sea and the Arms thereof, and Customs. folio.,
22. Concerning the advancement of Trade. quarto.
23. Of Sheriffs Accounts. folio.
24. Copies of Evidences. folio.

25. Mr. Selden's Discourses. 8vo.
26. Excerpta ex Schedis Seldenianis.
27. Journal of the 18th and 21st Jacobi Regis. quarto.
28. Great Common-place Book of Reports or Cases in the Law, in Law French. folio.

In Bundles.

On Quod tibi fieri, &c. Matthew vii. 12.
Touching Punishments in relation to the Socinian Controversy.
Policies of the Church of Rome.
Concerning the Laws of England.
Of the amendment of the Laws of England.
Touching Provision for the Poor.
Upon Mr. Hobbes's Manuscript.
Concerning the Time of the Abolition of the Jewish Laws.

In Quarto.

Quod sit Deus.
Of the State and Condition of Soul and Body after Death.
Notes concerning matters of Law.

To these will be added the catalogue of Manuscripts which he left to the honourable Society of Lincoln's-inn, with that part of his Will that concerns them.

ITEM, As a testimony of my honour and respect to the Society of Lincoln's-inn, where I had the greatest part of my education, I give and bequeath to that honourable society the several manuscript books contained in a schedule annexed to my will: they are a treasure worth having and keeping, which I have been near forty years in gathering, with very great industry and expense. My desire is that they be kept safe, and all together, in remembrance of me: they were fit to be bound in leather and chained, and kept in archives: I desire they may not be lent out, or disposed of; only if I happen hereafter to have any of my posterity of that society, that desires to transcribe any book, and give very good caution to restore it again in a prefixed time, such as the benchers of that society in council shall approve of, then, and not otherwise, only one book at one time may be lent out to them by the society; so that there be no more but one book of those books abroad out of the library at one time. They are a treasure that are not fit for every man's view; nor is every man capable of making use of them: only I would have nothing of these books printed, but entirely preserved together for the use of the industrious learned members of that society.

A Catalogue of the Books given by him to Lincoln's-inn, according to the Schedule annexed to his Will.

Placita de tempore Regis Johannis, 1 vol. stitched.

——— coram Rege Edw. I. 2 vols.

——— coram Rege Edw. II. 1 vol.

——— coram Rege Edw. III. 3 vols.

——— coram Rege Ric. II. 1 vol.

——— coram Rege Hen. IV. Hen. V. 1 vol.

——— de Banco, Edw. I. ab anno 1, ad annum 21, 1 vol.

Transcripts of many Pleas, coram Rege et de Banco, Edw. I. 1 vol.

The Pleas in the Exchequer, styled Communia, from 1 Edw. III. to 46 Edw. III. 5 vols.

Close Rolls of King John, verbatim, of the most material things, 1 vol.

The principal matters in the Close and Patent Rolls of Henry III. transcribed verbatim from 9 Henry III. to 56 Henry III. 5 vols. vellum, marked K.L.

The principal matters in the Close and Patent Rolls Edw. I. with several Copies and Abstracts of Records, 1 vol. marked F.

A long Book of Abstracts of Records by me.

Close and Patent Rolls from 1 to 10 Edward III. and other Records of the time of Henry III. 1 vol. marked W.

Close Rolls of 15 Edward III. with other Records, 1 vol. marked N.

Close Rolls from 17 to 38 Edward III. 2 vols.

Close and Patent Rolls from 40 Edward III. to 50 Edward III. 1 vol. marked B.

Close Rolls of Edward II. with other Records, 1 vol. R.

Close and Patent Rolls, and Charter Rolls in the time of King John for the Clergy, 1 vol.

A great volume of Records of several natures, G.

The Leagues of the Kings of England, tempore Edward I. Edward II. Edward III. 1 vol.

A Book of ancient Leagues and Military Provisions, 1 vol.

The Reports of Iters of Derby, Nottingham, and Bedford, transcribed, 1 vol.

Itinera Forest. de Pickering et Lancaster, transcript. ex originali, 1 vol.

An ancient Reading, very large, upon Charta de Foresta, and of the Forest Laws.

The Transcript of the Iter Forestæ de Dean, 1 vol.

Quo Warranto and Liberties of the County of Gloucester, with the Pleas of the Chase of Kingswood, 1 vol.

Transcript of the Black Book of the Admiralty, Laws of the Army, Impositions, and several Honours, 1 vol.

Records of Patents, Inquisitions, &c. of the County of Leicester, 1 vol.

Muster and Military Provisions of all sorts, extracted from the Records, 1 vol.

Gervasius Tilburiensis, or the Black Book of the Exchequer, 1 vol.

The King's Title to the Pre-emption of Tin, a thin volume.

Calendar of the Records in the Tower, a small volume.

A Miscellany of divers Records, Orders, and other things of various natures, marked E. 1 vol.

Another of the like nature, in leather cover, 1 vol.

A Book of divers Records and things relating to the Chancery, 1 vol.

Titles of Honour and Pedigrees, especially touching Clifford, 1 vol.

History of the Marches of Wales, collected by me, 1 vol.

Certain Collections touching Titles of Honour, 1 vol.

Copies of several Records touching Premunire, 1 vol.

Extract of Commissions tempore Hehr. VII. Henr. VIII. RR. and the Proceedings in the Court Military between Ray and Ramsey, 1 vol.

Petitions in Parliament tempore Edward. I. Edward. II. Edward. III. Henr. IV. 3 vols.

Summons of Parliament from 49 Henry III. to 22 Edward IV. in 3 vols.

The Parliament Rolls from the beginning of Edward I. to the end of Richard III. in 19 vols. viz. 1 of Edward I. 1 of Edward II. with the Ordinations; 2 of Edward III. 3 of Richard II. 2 of Henry IV. 2 of Henry V. 4 of Henry VI. 3 of Edward IV. 1 of Richard III. all transcribed at large.

Mr. Elsing's Book touching Proceedings in Parliament, 1 vol.

Noye's Collection touching the King's Supplies, 1 vol. stitched.

A Book of various Collections out of Records and Register of Canterbury, and Claims at the Coronation of Richard II. 1 vol.

Transcript of Bishop Usher's Notes, principally concerning Chronology, 3 large vols.

A Transcript out of Doomsday-Book of Gloucestershire and Herefordshire, and of some Pipe-Rolls and old Accompts of the Customs, 1 vol.

Extracts and Collections out of Records touching Titles of Honour, 1 vol.

Extracts of Pleas, Patents, and Close Rolls, tempore Henr. III. Edward. I. Edward. II. Edward. III. and some old Antiquities of England, 1 vol.

Collections and Memorials of many Records and Antiquities, 1 vol. Seldeni.

Calendar of Charters and Records in the Tower, touching Gloucestershire.

Collection of Notes and Records of various natures, marked M. 1 vol. Seldeni.

Transcript of the Iters of London, Kent, Cornwall, 1 vol.

Extracts out of the Leiger-Books of Battell, Evesham, Winton, &c. 1 vol. Seldeni.

Copies of the principal Records in the Red-Book in the Exchequer, 1 vol.

Extracts of Records and Treatises relating to Sea-affairs, 1 vol.

Records touching Customs, Ports, Partition of the lands of Gil. de Clare, &c.

Extract of Pleas in the time of Richard I. King John, Edward I. &c. 1 vol.

Cartæ Antiquæ in the Tower, transcribed, in 2 vols.

Chronological Remembrances, extracted out of the Notes of Bishop Usher, 1 vol. stitched.

Inquisitiones de Legibus Walliæ, 1 vol.

Collections or Records touching Knighthood.

Titles of Honour. Seldeni. 1 vol.

Mathematics and Fortifications, 1 vol.

Processus Curiæ Militaris, 1 vol.

A book of Honour, stitched, 1 vol.

Extracts out of the Registry of Canterbury.

Copies of several Records touching proceedings in the Military Court, 1 vol.

Abstracts of Summons and Rolls of Parliament, out of the book Dunelm. and some Records alphabetically digested, 1 vol.

Abstracts of divers Records in the Office of First-Fruits, 1 vol. stitched.

Mathematical and Astrological Calculations, 1 vol.

A book of Divinity.

Two large Repositories of Records, marked A and B.

All those above mentioned are in Folio.

The Proceedings of the Forests of Windsor, Dean, and Essex, in 4to. 1 vol.

Those that follow are most of them in Vellum or Parchment.

Two books of old Statutes, one ending Henry VII. the other 2 Henry V. with the Sums, 2 vols.

Five last years of Edward II. 1 vol.

Reports tempore Edward. II. 1 vol.

The Year-Book of Richard II. and some others, 1 vol.

An Old Chronicle from the Creation to Edward III. 1 vol.

A Mathematical Book, especially of Optics, 1 vol.

A Dutch Book of Geometry and Fortification.

Murti Benevenlani Geometrica, 1 vol.

Reports tempore Edward. I. under Titles, 1 vol.

An old Register, and some Pleas, 1 vol.

Bernardi Bratrack Peregrinatio, 1 vol.

Iter Cantii & London, and some Reports, tempore Edward. II. 1 vol.

Reports tempore Edward. I. et Edward. II. 1 vol.

Leiger Book Abbatiæ de Bello.

Isidori Opera.

Liber Altercationis, et Christianæ Philosophiæ, contra Paganos.

Historia Petri Manducatorii.

Hornii Astronomica.

Historia Ecclesiæ Dunelmensis.

Holandi Chymica.

De Alchymiæ Scriptoribus.

The Black-Book of the New Law, collected by me, and digested into alphabetical Titles, written with my own hand, which is the original copy.

THE

LIFE AND DEATH

OF

JOHN EARL OF ROCHESTER.

THE LIFE OF JOHN, EARL OF ROCHESTER, BY BISHOP BURNET.

LONDON:
PRINTED FOR W. PICKERING,
31 LINCOLN'S INN FIELDS.
MDCCCXX.

LIFE

OF THE

EARL OF ROCHESTER,

By DR. JOHNSON.

JOHN WILMOT, afterwards Earl of Rochester, the son of Henry Earl of Rochester, better known by the title of Lord Wilmot, was born April 10, 1647, at Ditchley in Oxfordshire. After a grammatical education at the school of Burford, he entered a nobleman into Wadham-college in 1659, only twelve years old; and in 1661, at fourteen, was, with some other persons of high rank, made master of arts by Lord Clarendon in person.

He travelled afterwards into France and Italy; and, at his return, devoted himself to the court. In 1665 he went to sea with Sandwich, and distinguished himself at Bergen by uncommon intrepidity; and the next summer served again on board the ship commanded by Sir Edward Sprągge, who in the heat of the engagement, having a message of reproof to send to one of his captains, could

find no man ready to carry it but Wilmot, who, in an open boat, went and returned amidst the storm of shot.

But his reputation for bravery was not lasting; he was reproached with slinking away in street-quarrels, and leaving his companions to shift as they could without him.

He had very early an inclination to intemperance, which he totally subdued in his travels; but, when he became a courtier, he unhappily addicted himself to dissolute and vicious company, by which his principles were corrupted and his manners depraved. He lost all sense of religious restraint; and finding it not convenient to admit the authority of laws which he was resolved not to obey, sheltered his wickedness behind infidelity.

As he excelled in that noisy and licentious merriment which wine excites, his companions eagerly encouraged him in his excess, and he willingly indulged it, till, as he confessed to Dr. Burnet, he was for five years together continually drunk, or so much inflamed by frequent ebriety as in no interval to be master of himself.

In this state he played many frolics, which it is not for his honour that we should remember, and which are not now distinctly known.

He often pursued low amours in mean disguises, and always acted with great exactness and dexterity the characters which he assumed.

He once erected a stage on Tower-hill, and harangued the populace as a mountebank; and having made physic part of his study, is said to have practised it successfully.

He was so much in favour with King Charles, that he was made one of the gentlemen of the bedchamber and comptroller of Woodstock Park.

Having an active and inquisitive mind, he never, except in his paroxysms of intemperance, was wholly negligent of study; he read what is considered as polite learning so much, that he is mentioned by Wood as the greatest scholar of all the nobility. Sometimes he retired into the country, and amused himself with writing libels, in which he did not pretend to confine himself to truth.

His favourite author in French was Boileau, and in English, Cowley.

Thus, in a course of drunken gaiety, and gross sensuality, with intervals of study perhaps yet more criminal, with an avowed contempt of all decency and order, a total disregard of every moral, and a resolute denial of every religious obligation, he lived worthless

and useless, and blazed out his youth and his health in lavish voluptuousness; till, at the age of one-and-thirty, he had exhausted the fund of life, and reduced himself to a state of weakness and decay.

At this time he was led to an acquaintance with Dr. Burnet, to whom he laid open with great freedom the tenour of his opinions, and the course of his life, and from whom he received such conviction of the reasonableness of moral duty, and the truth of Christianity, as produced a total change both of his manners and opinions. The account of those salutary conferences is given by Burnet, in a book entitled "Some Passages of the Life and Death of John Earl of Rochester;" which the critic ought to read for its elegance, the philosopher for its arguments, and the saint for its piety. It were an injury to the reader to offer him an abridgement.

He died July 26, 1680, before he had completed his thirty-fourth year; and was so worn away by a long illness, that life went out without a struggle.

Lord Rochester was eminent for the vigour of his colloquial wit, and remarkable for many wild pranks and sallies of extravagance. The glare of his general character diffused itself upon his writings; the compositions of

a man whose name was heard so often were certain of attention, and from many readers certain of applause. This blaze of reputation is not yet quite extinguished; and his poetry still retains some splendour beyond that which genius has bestowed.

Wood and Burnet gave us reason to believe that much was imputed to him which he did not write. I know not by whom the original collection was made, or by what authority its genuineness was ascertained. The first edition was published in the year of his death, with an air of concealment, professing in the title-page to be printed at Antwerp.

Of some of the pieces, however, there is no doubt. The Imitation of Horace's Satire, the Verses to Lord Mulgrave, the Satire against Man, the Verses upon *Nothing*, and perhaps some others, are, I believe, genuine, and perhaps most of those which the late collection exhibits.

As he cannot be supposed to have found leisure for any course of continued study, his pieces are commonly short, such as one fit of resolution would produce.

His songs have no particular character: they tell, like other songs, in smooth and easy language, of scorn and kindness, dismission and desertion, absence and inconstancy,

with the common places of artificial courtship. They are commonly smooth and easy, but have little nature and little sentiment.

His imitation of Horace on Lucilius is not inelegant or unhappy. In the reign of Charles the Second began that adaptation, which has since been very frequent, of ancient poetry to present times; and perhaps few will be found where the parallelism is better preserved than in this. The versification is indeed sometimes careless, but it is sometimes vigorous and weighty.

The strongest effort of his muse is his poem upon *Nothing*.

In examining this performance, *Nothing* must be considered as having not only a negative, but a kind of positive signification; as, I need not fear thieves, I have *nothing;* and *nothing* is a very powerful protector. In the first part of the sentence it is taken negatively; in the second it is taken positively, as an agent. In one of Boileau's lines it was a question, whether he should use *à rien faire* or *à ne rien faire;* and the first was preferred, because it gave *rien* a sense in some sort positive. *Nothing* can be a subject only in its positive sense, and such a sense is given it in the first line:

"Nothing, thou elder brother ev'n to shade."

The positive sense is generally preserved with great skill through the whole poem; though sometimes, in a subordinate sense, the negative *nothing* is injudiciously mingled.

Another of his most vigorous pieces is his Lampoon on Sir Car Scroop, who, in a poem, called The Praise of Satire, had some lines like these:

He who can push into a midnight fray
His brave companion,* and then run away,
Leaving him to be murder'd in the street,
Then put it off with some buffoon conceit;
Him, thus dishonour'd, for a wit you own,
And court him as top fiddler of the town.

This was meant of Rochester, and drew from him those furious verses to which Scroop made in reply an epigram, ending with these lines:

Thou canst hurt no man's fame with thy ill word;
Thy pen is full as harmless as thy sword.

Of the satire against Man, Rochester can only claim what remains when all Boileau's part is taken away.

In all his works there is sprightliness and

* Colonel Downs.

vigour, and every where may be found tokens of a mind which study might have carried to excellence :—what more can be expected from a life spent in ostentatious contempt of regularity, and ended before the abilities of many other men began to be displayed?

THE PREFACE.

THE celebrating the praises of the dead is an argument so worn out by long and frequent use, and now become so nauseous by the flattery that usually attends it, that it is no wonder if funeral orations, or panegyrics, are more considered for the elegance of style, and fineness of wit, than for the authority they carry with them as to the truth of matters of fact. And yet I am not hereby deterred from meddling with this kind of argument, nor from handling it with all the plainness I can; delivering only what I myself heard and saw, without any borrowed ornament. I do easily foresee how many will be engaged, for the support of their impious maxims and immoral practices, to disparage what I am to write. Others will censure it because it comes from one of my profession; too many supposing us to be induced to frame such discourses for carrying on what they are pleased to call *our trade*. Some will think I dress it up too arti-

ficially; and others, that I present it too plain and naked.

But, being resolved to govern myself by the exact rules of truth, I shall be less concerned in the censures I may fall under. It may seem liable to great exception that I should disclose so many things that were discovered to me, if not under the seal of confession, yet under the confidence of friendship. But this noble lord himself not only released me from all obligations of this kind, when I waited on him in his last sickness, a few days before he died, but gave it me in charge not to spare him in any thing which I thought might be of use to the living; and was not ill pleased to be laid open, as well in the worst as in the best and last part of his life, being so sincere in his repentance, that he was not unwilling to take shame to himself, by suffering his faults to be exposed for the benefit of others.

I write with one great disadvantage, that I cannot reach his chief design without mentioning some of his faults; but I have touched them as tenderly as occasion would bear, and, I am sure, with much more softness than he desired, or would have consented unto, had I told him how I intended to manage this part. I have related nothing with personal reflections

on any others concerned with him; wishing rather that they themselves, reflecting on the sense he had of his former disorders, may be thereby led to forsake their own, than that they should be any ways reproached by what I write: and therefore, though he used very few reserves with me as to his course of life, yet, since others had a share in most parts of it, I shall relate nothing but what more immediately concerned himself; and shall say no more of his faults than is necessary to illustrate his repentance.

The occasion that led me into so particular a knowledge of him, was an intimation, given me by a gentleman of his acquaintance, of his desire to see me. This was some time in October 1679, when he was slowly recovering out of a great disease. He had understood that I often attended on one well known to him, that died the summer before: he was also then entertaining himself, in that low state of his health, with the first part of the History of the Reformation, then newly come out, with which he seemed not ill pleased; and we had accidentally met in two or three places some time before. These were the motives that led him to call for my company. After I had waited on him once or twice, he grew into that freedom with me, as to open

to me all his thoughts, both of religion and morality, and to give me a full view of his past life; and seemed not uneasy at my frequent visits. So, till he went from London, which was in the beginning of April, I waited on him often. As soon as I heard how ill he was, and how much he was touched with a sense of his former life, I wrote to him, and received from him an answer, that, without my knowledge, was printed since his death, from a copy which one of his servants conveyed to the press. In it there is so undeserved a value put on me, that it had been very indecent for me to have published it: yet that must be attributed to his civility and way of breeding: and indeed he was particularly known to so few of the clergy, that the good opinion he had of me is to be imputed only to his unacquaintance with others.

My end in writing is so to discharge the last commands this lord left on me, as that it may be effectual to awaken those who run on to all the excesses of riot; and that, in the midst of those heats which their lusts and passions raise in them, they may be a little wrought on by so great an instance of one who had run round the whole circle of *luxury*; and, as Solomon says of himself, *Whatsoever his eyes desired, he kept it not from them*; *and withheld his*

heart from no joy. But, when he looked back on all that on which he had wasted his time and strength, he esteemed it *vanity and vexation of spirit*: though he had both as much natural wit, and as much acquired by learning, and both as much improved with thinking and study, as perhaps any libertine of the age; yet, when he reflected on all his former courses, even before his mind was illuminated with better thoughts, he counted them madness and folly. But, when the powers of religion came to operate on him, then he added a detestation to the contempt he formerly had of them, suitable to what became a sincere penitent, and expressed himself in so clear and so calm a manner, so sensible of his failings towards his Maker and his Redeemer, that, as it wrought not a little on those that were about him, so, I hope, the making it public may have a more general influence, chiefly on those on whom his former conversation might have had ill effects.

I have endeavoured to give his character as fully as I could take it: for, I who saw him only in one light, in a sedate and quiet temper, when he was under a great decay of strength and loss of spirits, cannot give his picture with that life and advantage that others may who knew him when his parts

were more bright and lively; yet the composure he was then in may perhaps be supposed to balance any abatement of his usual vigour, which the declination of his health brought him under. I have written this discourse with as much care, and have considered it as narrowly, as I could. I am sure I have said nothing but truth; I have done it slowly, and often used my second thoughts in it, not being so much concerned in the censures that might fall on myself, as cautious that nothing should pass that might obstruct my only design of writing, which is the doing what I can towards the reforming a loose and lewd age. And if such a signal instance, concurring with all the evidence that we have for our most holy Faith, has no effect on those who are running the same course, it is much to be feared they are given up to a reprobate sense.

SOME PASSAGES
OF
THE LIFE
OF
JOHN EARL OF ROCHESTER.

JOHN WILMOT, Earl of Rochester, was born in April, Anno Dom. 1648. His father was Henry Earl of Rochester, but best known by the title of the Lord Wilmot, who bore so great a part in all the late wars, that mention is often made of him in the history, and had the chief share in the honour of the preservation of his Majesty after Worcester fight, and the conveying him from place to place till he happily escaped into France; but, dying before the King's return, he left his son little other inheritance, but the honour and title derived to him, with the pretensions such eminent services gave him to the King's favour: these were carefully managed by the great prudence and discretion of his mother, a daugh-

ter of that noble and ancient family of the St.-Johns, of Wiltshire, so that his education was carried on in all things suitably to his quality.

When he was at school, he was an extraordinary proficient at his book; and those shining parts, which since have appeared with so much lustre, began then to show themselves. He acquired the Latin to such perfection, that to his dying day he retained a great relish of the fineness and beauty of that tongue, and was exactly versed in the incomparable authors that wrote about Augustus's time, whom he read often with that peculiar delight which the greatest wits have ever found in those studies.

When he went to the university, the general joy, which overran the whole nation upon his Majesty's restoration, but was not regulated with that sobriety and temperance that became a serious gratitude to God for so great a blessing, produced some of its ill effects upon him: he began to love these disorders too much. His tutor was that eminent and pious divine, Dr. Blandford, afterwards promoted to the sees of Oxford and Worcester; and, under his inspection, he was committed to the more immediate care of Mr. Phineas Berry, a Fellow of Wadham College,

a very learned and good-natured man, whom he afterwards ever used with much respect, and rewarded him as became a great man. But the humour of that time wrought so much on him, that he broke off the course of his studies, to which no means could ever effectually recall him, till, when he was in Italy, his governor, Dr. Balfour, a learned and worthy man, afterwards a celebrated physician in Scotland, his native country, drew him to read such books as were most likely to bring him back to love learning and study; and he often acknowledged to me, in particular three days before his death, how much he was obliged to love and honour this his governor, to whom he thought he owed more than to all the world, next after his parents, for his great fidelity and care of him while he was under his trust. But no part of it affected him more sensibly than that he engaged him by many tricks, so he expressed it, to delight in books and reading; so that ever after he took occasion, in the intervals of those woeful extravagances that consumed most of his time, to read much; and, though the time was generally but indifferently employed, for the choice of the subjects of his studies was not always good, yet the habitual love of knowledge, together with these fits of

study, had much awakened his understanding, and prepared him for better things, when his mind should be so far changed as to relish them.

He came from his travels in the eighteenth year of his age, and appeared at court with as great advantages as most ever had. He was a graceful and well-shaped person, tall, and well made, if not a little too slender: he was exactly well bred; and, what by a modest behaviour natural to him, what by a civility become almost as natural, his conversation was easy and obliging. He had a strange vivacity of thought and vigour of expression: his wit had a subtilty and sublimity both, that were scarce imitable. His style was clear and strong; when he used figures, they were very lively, and yet far enough out of the common road. He had made himself master of the ancient and modern wit, and of the modern French and Italian as well as the English. He loved to talk and write of speculative matters; and did it with so fine a thread, that even those, who hated the subjects that his fancy ran upon, yet could not but be charmed with his way of treating them. Boileau among the French, and Cowley among the English wits, were those he admired most. Sometimes other men's

thoughts mixed with his composures; but that flowed rather from the impressions they made on him when he read them, by which they came to return on him as his own thoughts, than that he servilely copied from any; for few men ever had a bolder flight of fancy, more steadily governed by judgment, than he had. No wonder a young man so made and so improved, was very acceptable in a court.

Soon after his coming thither he laid hold on the first occasion that offered to show his readiness to hazard his life in the defence and service of his country. In winter, 1665, he went with the Earl of Sandwich to sea, when he was sent to lie for the Dutch East India fleet; and was in the Revenge, commanded by Sir Thomas Tiddiman, when the attack was made on the port of Bergen, in Norway, the Dutch ships having got into that port. It was as desperate an attempt as ever was made; during the whole action, the Earl of Rochester showed as brave and as resolute a courage as was possible: a person of honour told me he heard the Lord Clifford, who was in the same ship, often magnify his courage at that time very highly. Nor did the rigours of the season, the hardness of the voyage, and the extreme danger

he had been in, deter him from running the like on the very next occasion; for the summer following he went to sea again, without communicating his design to his nearest relations. He went on board the ship commanded by Sir Edward Spragge, the day before the great sea-fight of that year. Almost all the volunteers that were in the same ship were killed. Mr. Middleton (brother to Sir Hugh Middleton) was shot in the arm. During the action, Sir Edward Spragge, not being satisfied with the behaviour of one of his captains, could not easily find a person that would cheerfully venture through so much danger to carry his commands to that captain. This lord offered himself to the service; and went in a little boat, through all the shot, and delivered his message, and returned back to Sir Edward; which was much commended by all that saw it. He thought it necessary to begin his life with these demonstrations of courage, in an element and way of fighting which is acknowledged to be the greatest trial of clear and undaunted valour.

He had so entirely laid down the intemperance that was growing on him before his travels, that at his return he hated nothing more. But, falling into company that loved

these excesses, he was, though not without difficulty, and by many steps, brought back to it again. And the natural heat of his fancy, being inflamed by wine, made him so extravagantly pleasant, that many, to be more diverted by that humour, studied to engage him deeper and deeper in intemperance; which at length did so entirely subdue him, that, as he told me, for five years together he was continually drunk; not all the while under the visible effects of it, but his blood was so inflamed, that he was not, in all that time, cool enough to be perfectly master of himself. This led him to say and do many wild and unaccountable things: by this, he said, he had broken the firm constitution of his health, that seemed so strong that nothing was too hard for it; and he had suffered so much in his reputation, that he almost despaired to recover it. There were two principles in his natural temper that, being heightened by that heat, carried him to great excesses: a violent love of pleasure, and a disposition to extravagant mirth. The one involved him in great sensuality; the other led him to many odd adventures and frolics, in which he was oft in hazard of his life: the one being the same irregular appetite in his mind that the other was in his

body, which led him to think nothing diverting that was not extravagant. And though, in cold blood, he was a generous and good-natured man, yet he would go far, in his heats, after any thing that might turn to a jest or matter of diversion. He said to me, he never improved his interest at court to do a premeditate mischief to other persons. Yet he laid out his wit very freely in libels and satires, in which he had a peculiar talent of mixing his wit with his malice, and fitting both with such apt words, that men were tempted to be pleased with them: from thence his composures came to be easily known, for few had such a way of tempering these together as he had; so that, when any thing extraordinary that way came out, as a child is fathered sometimes by its resemblance, so it was laid at his door as its parent and author.

These exercises in the course of his life were not always equally pleasant to him; he had often sad intervals and severe reflections on them: and, though then he had not these awakened in him by any deep principle of religion, yet the horror that nature raised in him, especially in some sicknesses, made him too easy to receive some ill principles which others endeavoured to possess him with; so

that he was too soon brought to set himself to secure and fortify his mind against that, by dispossessing it all he could of the belief or apprehensions of religion. The licentiousness of his temper, with the briskness of his wit, disposed him to love the conversation of those who divided their time between lewd actions and irregular mirth. And so he came to bend his wit, and direct his studies and endeavours, to support and strengthen these ill principles in himself and others.

An accident fell out after this which confirmed him more in these courses. When he went to sea in the year 1665, there happened to be in the same ship with him, Mr. Montague and another gentleman of quality. These two, the former especially, seemed persuaded that they should never return into England: Mr. Montague said he was sure of it; the other was not so positive. The Earl of Rochester and the last of these entered into a formal engagement, not without ceremonies of religion, that if either of them died, he should appear, and give the other notice of the future state, if there was any; but Mr. Montague would not enter into the bond. When the day came that they thought to have taken the Dutch fleet in the port of Bergen, Mr. Montague, though he had such a strong pre-

sage in his mind of his approaching death, yet he generously stayed all the while in the place of greatest danger. The other gentleman signalized his courage in a most undaunted manner till near the end of the action, when he fell on a sudden into such a trembling, that he could scarcely stand; and, Mr. Montague going to him to hold him up, as they were in each other's arms, a cannon-ball killed him outright, and carried away Mr. Montague's belly, so that he died within an hour after. The Earl of Rochester told me that these presages they had in their minds made some impression on him, that there were separated beings; and that the soul, either by a natural sagacity or some secret notice communicated to it, had a sort of divination. But that gentleman's never appearing was a great snare to him during the rest of his life; though, when he told me this, he could not but acknowledge it was an unreasonable thing for him to think, that beings in another state are not under such laws and limits that they could not command their own motions but as the Supreme Power should order them; and that one, who had so corrupted the natural principles of truth as he had, had no reason to expect that such an

extraordinary thing should be done for his conviction.

He told me of another odd presage that one had of his approaching death in the Lady Warre's, his mother-in-law's, house. The chaplain had dreamt that such a day he should die; but, being by all the family put out of the belief of it, he had almost forgot it; till the evening before, at supper, there being thirteen at table, according to a fond conceit that one of these must soon die, one of the young ladies pointed to him that he was to die. He remembering his dream, fell into some disorder; and the Lady Warre reproving him for his superstition, he said he was confident he was to die before morning; but, he being in perfect health, it was not much minded. It was Saturday night, and he was to preach next day. He went to his chamber, and sat up late, as appeared by the burning of his candle; and he had been preparing his notes for his sermon; but was found dead in his bed the next morning. These things, he said, made him inclined to believe the soul was a substance distinct from matter; and this often returned into his thoughts. But that which perfected his persuasion about it was, that, in the sickness which brought him

so near death before I first knew him, when his spirits were so low and spent that he could not move nor stir, and he did not think to live an hour, he said his reason and judgment were so clear and strong, that from thence he was fully persuaded that death was not the spending or dissolution of the soul, but only the separation of it from matter. He had in sickness great remorses for his past life; but he afterwards told me, they were rather general and dark horrors than any conviction of sinning against God. He was sorry he had lived so as to waste his strength so soon, or that he had brought such an ill name upon himself; and had an agony in his mind about it which he knew not well how to express; but at such times, though he complied with his friends in suffering divines to be sent for, he said he had no great mind to it, and that it was but a piece of his breeding to desire them to pray by him, in which he joined little himself.

As to the Supreme Being, he had always some impression of one; and professed often to me, that he had never known an entire atheist, who fully believed there was no God. Yet, when he explained his notion of this Being, it amounted to no more than a vast power, that had none of the attributes of

goodness or justice we ascribe to the Deity. These were his thoughts about religion, as himself told me. For morality, he freely owned to me, that though he talked of it as a fine thing, yet this was only because he thought it a decent mode of speaking; and that as they went always in clothes, though in their frolics they would have chosen sometimes to have gone naked, if they had not feared the people,—so though some of them found it necessary, for human life, to talk of morality, yet he confessed they cared not for it, farther than the reputation of it was necessary for their credit and affairs; of which he gave me many instances: as their professing and swearing friendship where they hated mortally; their oaths and imprecations in their addresses to women, which they intended never to make good; the pleasure they took in defaming innocent persons, and spreading false reports of some, perhaps in revenge, because they could not engage them to comply with their ill designs; the delight they had in making people quarrel; their unjust usage of their creditors, and putting them off by any deceitful promise they could invent that might deliver them from present importunity. So that, in detestation of these

courses, he would often break forth into such hard expressions concerning himself, as would be indecent for another to repeat.

Such had been his principles and practices in a course of many years, which had almost quite extinguished the natural propensities in him to justice and virtue. He would often go into the country, and be for some months wholly employed in study, or the sallies of his wit, which he came to direct chiefly to satire. And this he often defended to me, by saying there were some people that could not be kept in order or admonished but in this way. I replied, that it might be granted that a grave way of satire was sometimes no unprofitable way of reproof; yet they, who used it only out of spite, and mixed lies with truth, sparing nothing that might adorn their poems or gratify their revenge, could not excuse that way of reproach by which the innocent often suffer; since the most malicious things, if wittily expressed, might stick to and blemish the best men in the world; and the malice of a libel could hardly consist with the charity of an admonition. To this he answered, a man could not write with life unless he were heated by revenge; for to write a satire without resentments, upon the cold notions of philosophy, was as if a

man would, in cold blood, cut men's throats who had never offended him; and he said the lies in these libels came often in as ornaments, that could not be spared without spoiling the beauty of the poem.

For his other studies, they were divided between the comical and the witty writings of the ancients and moderns, the Roman authors and books of physic, which the ill state of health he was fallen into made more necessary to himself; and which qualified him for an odd adventure which I shall but just mention. Being under an unlucky accident, which obliged him to keep out of the way, he disguised himself so that his nearest friends could not have known him, and set up in Tower-street for an Italian mountebank, where he practised physic some weeks not without success. In his latter years he read books of history more. He took pleasure to disguise himself as a porter, or as a beggar; sometimes to follow some mean amours, which for the variety of them he affected. At other times merely for diversion, he would go about in odd shapes, in which he acted his part so naturally, that even those who were in the secret, and saw him in these shapes, could perceive nothing by which he could be discovered.

I have now made the description of his former life and principles as fully as I thought necessary to answer my end in writing, and yet with those reserves that I hope I have given no just cause of offence to any. I have said nothing but what I had from his own mouth, and have avoided the mentioning of the more particular passages of his life, of which he told me not a few: but, since others were concerned in them, whose good only I design, I will say nothing that may either provoke or blemish them. It is their reformation, not their disgrace, I desire. This tender consideration of others has made me suppress many remarkable and useful things he told me; but, finding that, though I should name none, yet I must at least relate such circumstances as would give too great occasion for the reader to conjecture concerning the persons intended, right or wrong, either of which were inconvenient enough, I have chosen to pass them quite over. But I hope those, that know how much they were engaged with him in his ill courses, will be somewhat touched with this tenderness I express towards them, and be thereby the rather induced to reflect on their ways, and to consider, without prejudice or passion, what a sense this

noble lord had of their case, when he came at last seriously to reflect upon his own.

I now turn to those parts of this narrative wherein I myself bore some share, and which I am to deliver upon the observations I made after a long and free conversation with him for some months. I was not long in his company when he told me he should treat me with more freedom than he had ever used to men of my profession; he would conceal none of his principles from me, but lay his thoughts open without any disguise; nor would he do it to maintain debate, or show his wit, but plainly tell me what stuck with him; and protested to me, that he was not so engaged to his old maxims as to resolve not to change, but that, if he could be convinced, he would choose rather to be of another mind. He said, he would impartially weigh what I should lay before him, and tell me freely when it did convince and when it did not. He expressed this disposition of mind to me in a manner so frank, that I could not but believe him and be much taken with his way of discourse: so we entered into almost all the parts of natural and revealed religion, and of morality. He seemed pleased, and in a great measure satisfied, with

what I said upon many of these heads; and, though our freest conversation was when we were alone, yet upon several occasions other persons were witnesses to it. I understood from many hands that my company was not distasteful to him, and that the subjects about which we talked most were not unacceptable; and he expressed himself often not ill pleased with many things I said to him, and particularly when I visited him in his last sickness; so that I hope it may not be altogether unprofitable to publish the substance of those matters about which we argued so freely, with our reasoning upon them; and perhaps what had some effects on him may be not altogether ineffectual upon others. I followed him with such arguments as I saw were most likely to prevail with him; and my not urging other reasons proceeded not from any distrust I had of their force, but from the necessity of using those that were most proper for him. He was then in a low state of health, and seemed to be slowly recovering of a great disease. He was in the milk diet, and apt to fall into hectical fits; any accident weakened him, so that he thought he could not live long; and, when he went from London, he said he believed he should never come to town more. Yet, during his being

in town, he was so well, that he went often abroad, and had great vivacity of spirit; so that he was under no such decay as either darkened or weakened his understanding; nor was he any way troubled with the spleen or vapours, or under the power of melancholy. What he was then, compared to what he had been formerly, I could not so well judge, who had seen him but twice before. Others have told me they perceived no difference in his parts. This I mention more particularly, that it may not be thought that melancholy, or the want of spirits, made him more inclined to receive any impressions; for indeed I never discovered any such thing in him.

Having thus opened the way to the heads of our discourse, I shall next mention them. The three chief things we talked about were morality, natural religion, and revealed religion, Christianity in particular. For morality, he confessed he saw the necessity of it, both for the government of the world, and for the preservation of health, life, and friendship; and was very much ashamed of his former practices, rather because he had made himself a beast, and had brought pain and sickness on his body, and had suffered much in his reputation, than from any deep sense

of a Supreme Being or another state. But so far this went with him, that he resolved firmly to change the course of his life, which he thought he should effect by the study of philosophy, and had not a few no less solid than pleasant notions concerning the folly and madness of vice. But he confessed he had no remorse for his past actions as offences against God, but only as injuries to himself and to mankind.

Upon this subject I showed him the defects of philosophy for reforming the world. That it was a matter of speculation, which but few either had the leisure or the capacity to inquire into; but the principle that must reform mankind must be obvious to every man's understanding. That philosophy, in matters of morality, beyond the great lines of our duty, had no very certain fixed rule; but, in the lesser offices and instances of our duty, went much by the fancies of men and customs of nations; and consequently could not have authority enough to bear down the propensities of nature, appetite, or passion: for which I instanced in these two points; the one was about that maxim of the Stoics, to extirpate all sort of passion and concern for any thing. That, take it by one hand, seemed desirable, because, if it could be ac-

complished, it would make all the accidents of life easy; but I think it cannot, because nature, after all our striving against it, will still return to itself: yet, on the other hand, it dissolved the bonds of nature and friendship, and slackened industry, which will move but dully without an inward heat; and, if it delivered a man from any troubles, it deprived him of the chief pleasures of life, which arise from friendship. The other was concerning the restraint of pleasure, how far that was to go. Upon this he told me the two maxims of his morality then were, that he should do nothing to the hurt of any other, or that might prejudice his own health; and he thought that all pleasure, when it did not interfere with these, was to be indulged as the gratification of our natural appetites. It seemed unreasonable to imagine, these were put into a man only to be restrained, or curbed to such a narrowness: this he applied to the free use of wine and women.

To this I answered, that, if appetites being natural was an argument for the indulging them, then the revengeful might as well allege it for murder, and the covetous for stealing, whose appetites are no less keen on those objects, and yet it is acknowledged that these appetites ought to be curbed. If the diffe-

rence is urged from the injury that another person receives, the injury is as great if a man's wife is defiled, or his daughter corrupted; and it is impossible for a man to let his appetites loose to vagrant lusts, and not to transgress in these particulars: so there was no curing the disorders that must arise from thence but by regulating these appetites. And why should we not as well think that God intended our brutish and sensual appetites should be governed by our reason, as that the fierceness of beasts should be managed and tamed by the wisdom, and for the use of man? So that it is no real absurdity to grant, that appetites were put into men on purpose to exercise their reason in the restraint and government of them, which to be able to do ministers a higher and more lasting pleasure to a man than to give them their full scope and range. And, if other rules of philosophy be observed, such as the avoiding those objects that stir passion, nothing raises higher passions than ungoverned lust; nothing darkens the understanding and depresses a man's mind more; nor is any thing managed with more frequent returns of other immoralities, such as oaths and imprecations, which are only intended to compass what is desired: the expense, that is neces-

sary to maintain these irregularities, makes a man false in his other dealings. All this he freely confessed was true: upon which I urged, that, if it was reasonable for a man to regulate his appetite in things which he knew were hurtful to him, was it not as reasonable for God to prescribe a regulating of those appetites whose unrestrained course did produce such mischievous effects? That it could not be denied, but doing to others what we would have others do unto us was a just rule: those men, then, that knew how extremely sensible they themselves would be of the dishonour of their families, in the case of their wives or daughters, must needs condemn themselves for doing that which they could not bear from another: and, if the peace of mankind, and the entire satisfaction of our whole life, ought to be one of the chief measures of our actions, then let all the world judge, whether a man that confines his appetite and lives contented at home, is not much happier than those that let their desires run after forbidden objects. The thing being granted to be better in itself, then the question falls between the restraint of appetite in some instances, and the freedom of a man's thoughts, the soundness of his health, his application to affairs, with the easiness of his

whole life: whether the one is not to be done before the other? As to the difficulty of such a restraint, though it is not easy to be done, when a man allows himself many liberties in which it is not possible for him to stop, yet those who avoid the occasions that may kindle these impure flames, and keep themselves well employed, find the victory and dominion over them no such impossible or hard matter as may seem at first view: so that, though the philosophy and morality of this point were plain, yet there is not strength enough in that principle to subdue nature and appetite. Upon this I urged, that morality could not be a strong thing unless a man were determined by a law within himself; for, if he only measured himself by decency, or the laws of the land, this would teach him only to use such caution in his ill practices, that they should not break out too visibly; but would never carry him to an inward and universal probity. That virtue was of so complicated a nature, that, unless a man came entirely within its discipline, he could not adhere steadfastly to any one precept; for vices are often made necessary supports to one another. That this cannot be done, either steadily or with any satisfaction, unless the mind does inwardly comply with,

and delight in, the dictate, of virtue; and that could not be effected, except a man's nature were internally regenerated, and changed by a higher principle: till that came about, corrupt nature would be strong, and philosophy but feeble, especially when it struggled with such appetites or passions as were much kindled, or deeply rooted in the constitution of one's body. This, he said, sounded to him like enthusiasm, or canting: he had no notion of it, and so could not understand it. He comprehended the dictates of reason and philosophy; in which, as the mind became much conversant, there would soon follow, as he believed, a greater easiness in obeying its precepts. I told him on the other hand, that all his speculations of philosophy would not serve him in any stead to the reforming of his nature and life, till he applied himself to God for inward assistances. It was certain that the impressions made in his reason governed him as they were lively presented to him; but these are so apt to slip out of our memory, and we so apt to turn our thoughts from them, and at some times the contrary impressions are so strong, that, let a man set up a reasoning in his mind against them, he finds that celebrated saying of the poet--

Video meliora, proboque; deteriora sequor—
"I see what is better, and approve it; but
follow what is worse"—

to be all that philosophy will amount to. Whereas those, who upon such occasions apply themselves to God by earnest prayer, feel a disengagement from such impressions, and themselves endued with a power to resist them; so that those bonds, which formerly held them, fall off.

This, he said, must be the effect of a heat in nature: it was only the strong diversion of the thoughts that gave the seeming victory; and he did not doubt, but, if one could turn to a problem in Euclid, or to write a copy of verses, it would have the same effect. To this I answered, that if such methods did only divert the thoughts, there might be some force in what he said; but, if they not only drove out such inclinations, but begat impressions contrary to them, and brought men into a new disposition and habit of mind, then he must confess there was somewhat more than a diversion in these changes, which were brought on our minds by true devotion. I added, that reason and experience were the things that determined our persuasions: that experience without reason may be thought the delusion of our fancy; so reason without

experience had not so convincing an operation; but these two meeting together, must needs give a man all the satisfaction he can desire. He could not say it was unreasonable to believe that the Supreme Being might make some thoughts stir in our minds with more or less force as it pleased: especially, the force of these motions being, for the most part, according to the impression that was made on our brains, which that Power, that directed the whole frame of nature, could make grow deeper as it pleased. It was also reasonable to suppose God a being of such goodness, that he would give his assistance to such as desired it; for though he might, upon some greater occasions, in an extraordinary manner turn some people's minds, yet since he had endued man with a faculty of reason, it is fit that men should employ that as far as they could, and beg his assistance, which certainly they can do. All this seemed reasonable, and at least probable. Now good men, who felt upon their frequent applications to God in prayer, a freedom from those ill impressions that formerly subdued them, an inward love to virtue and true goodness, an easiness and delight in all the parts of holiness, which was fed and cherished in them by a seriousness in prayer, and did lan-

guish as that went off, had as real a perception of an inward strength in their minds, that did rise and fall with true devotion, as they perceived the strength of their bodies increased or abated, according as they had or wanted good nourishment.

After many discourses upon this subject, he still continued to think all was the effect of fancy. He said that he understood nothing of it, but acknowledged that he thought they were very happy whose fancies were under the power of such impressions, since they had somewhat on which their thoughts rested and centered. But when I saw him in his last sickness, he then told me he had another sense of what we had talked concerning prayer and inward assistances.—This subject led us to discourse of God, and of the notion of religion in general. He believed there was a Supreme Being: he could not think the world was made by chance, and the regular course of nature seemed to demonstrate the eternal power of its Author. This, he said, he could never shake off; but, when he came to explain his notion of the Deity, he said, he looked on it as a vast power that wrought every thing by the necessity of its nature; and thought that God had none of those affections of love or

hatred which breed perturbation in us, and by consequence he could not see that there was to be either reward or punishment. He thought our conceptions of God were so low, that we had better not think much of him; and to love God seemed to him a presumptuous thing, and the heat of fanciful men. Therefore he believed there should be no other religious worship but a general celebration of that Being in some short hymn: all the other parts of worship he esteemed the inventions of priests, to make the world believe they had a secret of incensing and appeasing God as they pleased. In a word, he was neither persuaded that there was a special providence about human affairs, nor that prayers were of much use, since that was to look on God as a weak being that would be overcome with importunities. And, for the state after death, though he thought the soul did not dissolve at death, yet he doubted much of rewards or punishments: the one he thought too high for us to attain by our slight services, and the other was too extreme to be inflicted for sin. This was the substance of his speculations about God and religion.

I told him his notions of God were so low, that the Supreme Being seemed to be nothing but Nature. For, if that Being had no free-

dom nor choice of its own actions, nor operated by wisdom or goodness, all those reasons which led him to acknowledge a God, were contrary to this conceit; for if the order of the universe persuaded him to think there was a God, he must at the same time conceive him to be both wise and good, as well as powerful, since these all appeared equally in the creation, though his wisdom and goodness had ways of exerting themselves that were far beyond our notions or measures. If God was wise and good, he would naturally love and be pleased with those that resemble him in these perfections, and dislike those that were opposite to him. Every rational being naturally loves itself, and is delighted in others like itself, and is averse from what is not so. Truth is a rational nature's acting in conformity to itself in all things, and goodness is an inclination to promote the happiness of other beings; so truth and goodness were the essential perfections of every reasonable being, and certainly most eminently in the Deity. Nor does his mercy or love raise passion or perturbation in him; for we feel that to be a weakness in ourselves, which indeed only flows from our want of power or skill to do what we wish or desire. It is also reasonable to believe God would assist the

endeavours of the good with some helps suitable to their nature; and that it could not be imagined that those who imitated him should not be specially favoured by him; and therefore, since this did not appear in this state, it was most reasonable to think it should be in another, where the rewards shall be an admission to a more perfect state of conformity to God, with the felicity that follows it; and the punishments should be a total exclusion from him, with all the horror and darkness that must follow that. These seemed to be the natural results of such several courses of life, as well as the effects of divine justice, rewarding or punishing. For, since he believed the soul had a distinct substance, separated from the body; upon its dissolution, there was no reason to think it passed into a state of utter oblivion of what it had been in formerly: but that, as the reflections on the good or evil it had done must raise joy or horror in it, so, those good or ill dispositions accompanying the departed souls, they must either rise up to a higher perfection, or sink to a more depraved and miserable state. In this life variety of affairs and objects do much cool and divert our minds; and are, on the one hand, often great temptations to the good, and give the bad some ease in their trouble; but, in a state

wherein the soul shall be separated from sensible things, and employed in a more quick and sublime way of operation, this must very much exalt the joys and improvements of the good, and as much heighten the horror and rage of the wicked. So that it seemed a vain thing to pretend to believe a Supreme Being, that is wise and good, as well as great, and not to think a discrimination will be made between the good and bad, which it is manifest is not fully done in this life.

As for the government of the world, if we believe the Supreme Power made it, there is no reason to think he does not govern it; for all that we can fancy against it is the distraction which that infinite variety of second causes, and the care of their concernments, must give to the first, if it inspects them all. But as among men, those of weaker capacities are wholly taken up with some one thing, whereas those of more enlarged powers can without distraction have many things within their care,—as the eye can at one view receive a great variety of objects in that narrow compass without confusion,—so, if we conceive the divine understanding to be as far above ours as his power of creating and framing the whole universe is above our limited activity, we shall no more think the government

of the world a distraction to him; and if we have once overcome this prejudice, we shall be ready to acknowledge a providence directing all affairs, a care well becoming the Great Creator.

As for worshipping him, if we imagine our worship is a thing that adds to his happiness, or gives him such a fond pleasure as weak people have to hear themselves commended, or that our repeated addresses do overcome him through our mere importunity, we have certainly very unworthy thoughts of him. The true ends of worship come within another consideration, which is this: a man is never entirely reformed till a new principle governs his thoughts; nothing makes that principle so strong as deep and frequent meditations of God, whose nature, though it be far above our comprehension, yet his goodness and wisdom are such perfections as fall within our imagination: and he that thinks often of God, and considers him as governing the world, and as ever observing all his actions, will feel a very sensible effect of such meditations, as they grow more lively and frequent with him; so the end of religious worship, either public or private, is to make the apprehensions of God have a deeper root and a stronger influence on us. The frequent re-

turns of these are necessary, lest, if we allow of too long intervals between them, these impressions may grow feebler, and other suggestions may come in their room; and the returns of prayer are not to be considered as favours extorted by mere importunity, but as rewards conferred on men so well disposed and prepared for them, according to the promises that God has made for answering our prayers; thereby to engage and nourish a devout temper in us, which is the chief root of all true holiness and virtue.

It is true, we cannot have suitable notions of the divine essence; as indeed we have no just idea of any essence whatsoever, since we commonly consider all things either by their outward figure or by their effects, and from thence make inferences what their nature must be: so, though we cannot frame any perfect image in our minds of the divinity, yet we may, from the discoveries God has made of himself, form such conceptions of him, as may possess our minds with great reverence for him, and beget in us such a love of those perfections as to engage us to imitate them. For, when we say we love God, the meaning is, we love that being that is holy, just, good, wise, and infinitely perfect: and loving these attributes in that object will

certainly carry us to desire them in ourselves. For, whatever we love in another, we naturally, according to the degree of our love, endeavour to resemble it. In sum, the loving and worshipping God, though they are just and reasonable returns and expressions of the sense we have of his goodness to us, yet they are exacted of us not only as a tribute to God, but as a mean to beget in us a conformity to his nature, which is the chief end of pure and undefiled religion.

If some men have at several times found out inventions to corrupt this, and cheat the world, it is nothing but what occurs in every sort of employment to which men betake themselves: mountebanks corrupt physic; pettifoggers have entangled the matters of property; and all professions have been vitiated by the knaveries of a number of their calling.

With all these discourses he was not equally satisfied: he seemed convinced that the impressions of God being much in men's minds would be a powerful means to reform the world; and did not seem determined against providence; but, for the next state, he thought it more likely that the soul began anew, and that, her sense of what she had done in this body lying in the figures that are made in the

brain, as soon as she dislodged, all these perished, and that the soul went into some other state, to begin a new course. But I said, on this head, that this was at best a conjecture, raised in him by his fancy; for he could give no reason to prove it true: nor was all the remembrance our souls had of past things seated in some material figures lodged in the brain; though it could not be denied but a great deal of it lay in the brain. That we have many abstracted notions and ideas of immaterial things which depend not on bodily figures: some sins, such as falsehood and ill-nature, were seated in the mind, as lust and appetite were in the body; and, as the whole body was the receptacle of the soul, and the eyes and ears were the organs of seeing and hearing, so was the brain the seat of memory: yet the power and faculty of memory, as well as of seeing and hearing, lay in the mind; and so it was no unconceivable thing that either the soul, by its own strength, or by the means of some subtiler organs which might be fitted for it in another state, should still remember as well as think. But indeed we know so little of the nature of our souls, that it is a vain thing for us to raise an hypothesis out of the conjectures we have about it, or to reject one because of some

difficulties that occur to us; since it is as hard to understand how we remember things now as how we shall do it in another state: only we are sure we do it now: and so we shall be then, when we do it.

When I pressed him with the secret joys that a good man felt, particularly as he drew near death, and the horrors of ill men, especially at that time, he was willing to ascribe it to the impressions they had from their education: but he often confessed, that, whether the business of religion was true or not, he thought those who had the persuasions of it, and lived so that they had quiet in their consciences, and believed God governed the world, and acquiesced in his providence, and had the hope of an endless blessedness in another state, the happiest men in the world; and said, he would give all that he was master of, to be under those persuasions, and to have the supports and joys that must needs flow from them. I told him, the main root of all corruptions in men's principles was their ill life; which, as it darkened their minds, and disabled them from discerning better things, so it made it necessary for them to seek out such opinions as might give them ease from those clamours that would otherwise have been raised within

them. He did not deny, but that, after the doing of some things, he felt great and severe challenges within himself; but he said, he felt not these after some others which I would perhaps call far greater sins than those that affected him more sensibly. This, I said, might flow from the disorders he had cast himself into, which had corrupted his judgment, and vitiated his taste of things; and, by his long continuance in, and frequent repeating of, some immoralities, he had made them so familiar to him, that they were become as it were natural; and then it was no wonder if he had not so exact a sense of what was good or evil; as a feverish man cannot judge of tastes.

He did acknowledge, the whole system of religion, if believed, was a greater foundation of quiet than any other thing whatsoever; for all the quiet he had in his mind was, that he could not think so good a being as the Deity would make him miserable. I asked, if, when by the ill course of his life he had brought so many diseases on his body, he could blame God for it, or expect that he should deliver him from them by a miracle. He confessed there was no reason for that. I then urged, that, if sin should cast the mind, by a natural effect, into endless hor-

rors and agonies, which, being seated in a being not subject to death, must last for ever, unless some miraculous power interposed, could he accuse God for that which was the effect of his own choice and ill life?

He said, they were happy that believed; for it was not in every man's power.

And upon this we discoursed long about revealed religion. He said, he did not understand the business of Inspiration: he believed the penmen of the scriptures had heats and honesty, and so wrote; but could not comprehend how God should reveal his secrets to mankind. Why was not man made a creature more disposed for religion, and better illuminated? He could not apprehend how there should be any corruption in the nature of man, or a lapse derived from Adam. God's communicating his mind to one man was the putting it in his power to cheat the world: for prophecies and miracles, the world had been always full of strange stories; for, the boldness and cunning of contrivers meeting with the simplicity and credulity of the people, things were easily received; and, being once received, passed down without contradiction. The incoherences of style in the scriptures, the odd transitions, the seeming contradictions, chiefly

about the order of time, the cruelties enjoined the Israelites in destroying the Canaanites, circumcision, and many other rites of the Jewish worship, seemed to him unsuitable to the divine nature; and the first three chapters of Genesis he thought could not be true, unless they were parables. This was the substance of what he excepted to revealed religion in general, and to the Old Testament in particular.

I answered to all this, that believing a thing upon the testimony of another, in other matters where there was no reason to suspect the testimony, chiefly where it was confirmed by other circumstances, was not only a reasonable thing, but it was the hinge on which all the government and justice in the world depended; since all courts of justice proceed upon the evidence given by witnesses; for the use of writings is but a thing more lately brought into the world. So then, if the credibility of the thing, the innocence and disinterestedness of the witnesses, the number of them, and the most public confirmations that could possibly be given, do concur to persuade us of any matter of fact, it is a vain thing to say, because it is possible for so many men to agree in a lie, that therefore these have done it. In all other things a man

gives his assent when the credibility is strong on the one side, and there appears nothing on the other side to balance it. So, such numbers agreeing in their testimony to these miracles, for instance, of our Saviour's calling Lazarus out of the grave the fourth day after he was buried, and his own rising again after he was certainly dead—if there had been never so many impostures in the world, no man can with any reasonable colour pretend this was one. We find, both by the Jewish and Roman writers that lived in that time, that our Saviour was crucified, and that all his disciples and followers believed certainly that he rose again. They believed this upon the testimony of the apostles, and of many hundreds who saw it and died confirming it. They went about to persuade the world of it with great zeal, though they knew they were to get nothing by it but reproach and sufferings; and by many wonders which they wrought, they confirmed their testimony. Now, to avoid all this, by saying it is possible this might be a contrivance, and to give no presumption to make it so much as probable that it was so, is, in plain English, to say, "we are resolved, let the evidence be what it will, we will not believe it."

He said, if a man says he cannot believe,

what help is there? for he was not master of his own belief, and believing was at highest but a probable opinion. To this I answered, that, if a man will let a wanton conceit possess his fancy against these things, and never consider the evidence for religion on the other hand, but reject it upon a slight view of it, he ought not to say he cannot, but he will not, believe: and, while a man lives an ill course of life, he is not fitly qualified to examine the matter aright. Let him grow calm and virtuous, and, upon due application, examine things fairly, and then let him pronounce according to his conscience, if, to take it at its lowest, the reasons on the one hand are not much stronger than they are on the other. For I found he was so possessed with the general conceit, that a mixture of knaves and fools had made all extraordinary things be easily believed, that it carried him away to determine the matter, without so much as looking on the historical evidence for the truth of Christianity, which he had not inquired into, but had bent all his wit and study to the support of the other side. As for that, that believing is at best but an opinion; if the evidence be but probable, it is so; but, if it be such that it cannot be questioned, it grows as certain as knowledge: for we are

no less certain that there is a great town called Constantinople, the seat of the Ottoman empire, than that there is another called London. We as little doubt that Queen Elizabeth once reigned, as that King Charles now [in 1680] reigns in England. So that believing may be as certain, and as little subject to doubting, as seeing or knowing.

There are two sorts of believing divine matters; the one is wrought in us by our comparing all the evidences of matter of fact, for the confirmation of revealed religion, with the prophecies in the scripture; where things were punctually predicted, some ages before their completion; not in dark and doubtful words, uttered like oracles, which might bend to any event; but in plain terms, as the foretelling that Cyrus by name should send the Jews back from the captivity, after the fixed period of seventy years; the history of the Syrian and Egyptian kings, so punctually foretold by Daniel; and the prediction of the destruction of Jerusalem, with many circumstances relating to it, made by our Saviour; joining these to the excellent rule and design of the scripture in matters of morality, it is at least as reasonable to believe this as any thing else in the world. Yet such a believing as this is only a general persuasion in the

mind, which has not that effect, till a man, applying himself to the directions set down in the scriptures,—which, upon such evidence, cannot be denied to be as reasonable as for a man to follow the prescriptions of a learned physician, and, when the rules are both good and easy, to submit to them for the recovery of his health,—and following these, finds a power entering within him, that frees him from the slavery of his appetites and passions, that exalts his mind above the accidents of life, and spreads an inward purity in his heart, from which a serene and calm joy arises within him: and good men, by the efficacy these methods have upon them, and from the returns of their prayers, and other endeavours, grow assured that these things are true and answerable to the promises they find registered in scripture. All this, he said, might be fancy: but to this I answered, that, as it were unreasonable to tell a man that is abroad and knows he is awake, that perhaps he is in a dream and in his bed, and only thinks he is abroad; or that as some go about in their sleep, so he may be asleep still; so good and religious men know, though others may be abused by their fancies, that they are under no such deception; and find they are neither hot nor enthusiastical, but under the power of

calm and clear principles. All this, he said, he did not understand; and that it was to assert or beg the thing in question; which he could not comprehend.

As for the possibility of revelation, it was a vain thing to deny it; for, as God gives us the sense of seeing material objects by our eyes, and has opened in some a capacity of apprehending high and sublime things, of which other men seemed utterly incapable; so it was a weak assertion that God cannot awaken a power, in some men's minds, to apprehend and know some things in such a manner that others are not capable of it. This is not half so incredible to us as sight is to a blind man; who yet may be convinced there is a strange power of seeing that governs men, of which he finds himself deprived. As for the capacity put into such men's hands to deceive the world, we are at the same time to consider, that, besides the probity of their tempers, it cannot be thought but God can so forcibly bind up a man, in some things, that it should not be in his power to deliver them, otherwise than as he gives him in commission. Besides, the confirmation of miracles is a divine credential to warrant such persons in what they deliver to the world, which cannot be imagined can be joined to a lie, since this were

to put the omnipotence of God to attest that which no honest man will do. For the business of the fall of man, and other things, of which we cannot perhaps give ourselves a perfect account, we, who cannot fathom the secrets of the council of God, do very unreasonably take on us to reject an excellent system of good and holy rules, because we cannot satisfy ourselves about some difficulties in them. Common experience tells us, there is a great disorder in our natures, which is not easily rectified: all philosophers were sensible of it, and every man that designs to govern himself by reason feels the struggle between it and nature: so that it is plain there is a lapse of the high powers of the soul.

But why, said he, could not this be rectified by some plain rules given; but men must come and show a trick, to persuade the world they speak to them in the name of God? I answered, that religion, being a design to recover and save mankind, was to be so opened as to awaken and work upon all sorts of people; and generally men of a simplicity of mind were those that were the fittest objects for God to show his favour to; therefore it was necessary that messengers sent from heaven should appear with such alarming evidences as might awaken the world, and prepare them,

by some astonishing signs, to listen to the doctrine they were to deliver. Philosophy, that was only a matter of fine speculation, had few votaries; and, as there was no authority in it to bind the world to believe its dictates, so they were only received by some of nobler and refined natures, who could apply themselves to, and delight in, such notions. But true religion was to be built on a foundation that should carry more weight on it, and to have such convictions as might not only reach those who were already disposed to receive them, but rouse up such as, without great and sensible excitation, would have otherwise slept on in their ill courses.

Upon this and some such occasions, I told him, I saw the ill use he made of his wit, by which he slurred the gravest things with a slight dash of his fancy; and the pleasure he found in such wanton expressions, as calling the doing of miracles the showing of a trick, did really keep him from examining them with that care which such things required.

For the Old Testament, we are so remote from that time, we have so little knowledge of the language in which it was written, have so imperfect an account of the history of those ages, know nothing of their customs, forms of speech, and the several periods they might

have by which they reckoned their time, that it is rather a wonder we should understand so much of it, than that many passages in it should be so dark to us. The chief use it has to us Christians, is, that, from writings which the Jews acknowledged to be divinely inspired, it is manifest the Messiah was promised before the destruction of their temple; which being done long ago, and these prophecies agreeing to our Saviour, and to no other, here is a great confirmation given to the gospel. But, though many things in these books could not be understood by us who live above 3000 years after the chief of them were written, it is no such extraordinary matter.

For that of the destruction of the Canaanites by the Israelites, it is to be considered, that, if God had sent a plague among them all, that could not have been found fault with. If then God had a right to take away their lives without injustice or cruelty, he had a right to appoint others to do it, as well as to execute it by a more immediate way; and the taking away people by the sword is a much gentler way of dying than to be smitten with a plague or a famine. And, for the children that were innocent of their fathers' faults, God could in another state make that up to them. So all the difficulty is, why were the Israelites

commanded to execute a thing of such barbarity? But this will not seem so hard, if we consider that this was to be no precedent for future times; since they did not do it but upon special warrant and commission from heaven, evidenced to all the world by such mighty miracles as did plainly show that they were particularly designed by God to be the executioners of his justice; and God, by employing them in so severe a service, intended to possess them with great horror of idolatry, which was punished in so extreme a manner.

For the rites of their religion, we can ill judge of them, except we perfectly understood the idolatries round about them, to which we find they were much inclined: so they were to be bent by other rites to an extreme aversion from them: and yet, by the pomp of many of their ceremonies and sacrifices, great indulgences were given to a people naturally fond of a visible splendour in religious worship. In all which, if we cannot descend to such satisfactory answers, in every particular, as a curious man would desire, it is no wonder. The long interval of time, and other accidents, have worn out those things which were necessary to give us a clearer light into the meaning of them. And for the story of the creation, how far some things in it may

be parabolical, and how far historical, has been much disputed: there is nothing in it that may not be historically true: for, if it be acknowledged that spirits can form voices in the air, for which we have as good authority as for any thing in history, then it is no wonder that Eve, being so lately created, might be deceived, and think a serpent spake to her, when the evil spirit framed the voice.

But, in all these things, I told him he was in the wrong way, when he examined the business of religion by some dark parts of scripture; therefore I desired him to consider the whole contexture of the Christian religion, the rules it gives, and the methods it prescribes. Nothing can conduce more to the peace, order, and happiness of the world, than to be governed by its rules. Nothing is more for the interests of every man in particular: the rules of sobriety, temperance, and moderation, were the best preservers of life, and, which was perhaps more, of health; humility, contempt of the vanities of the world, and the being well employed, raise a man's mind to a freedom from the follies and temptations that haunted the greatest part of it. Nothing was so generous and great as to supply the necessities of the poor and to forgive injuries; nothing raised and

maintained a man's reputation so much as to be exactly just and merciful, kind, charitable, and compassionate; nothing opened the powers of a man's soul so much as a calm temper, a serene mind, free of passion and disorder; nothing made societies, families, and neighbourhoods, so happy, as when these rules, which the Gospel prescribes, took place, of doing as we would have others do to us, and loving our neighbours as ourselves.

The Christian worship was also plain and simple, suitable to so pure a doctrine. The ceremonies of it were few and significant, as the admision to it by a washing with water, and the memorial of our Saviour's death in bread and wine. The motives in it to persuade to this purity were strong: that God sees us, and will judge us for all our actions: that we shall be for ever happy or miserable as we pass our lives here: the example of our Saviour's life, and the great expressions of his love in dying for us, are mighty engagements to obey and imitate him. The plain way of expression used by our Saviour and his apostles, shows there was no artifice, where there was so much simplicity used: there were no secrets kept only among the priests, but every thing was open to all Christians: the rewards of holiness are not entirely put over to another

state, but good men are specially blest with peace in their consciences, great joy in the confidence they have of the love of God, and of seeing him for ever, and often a signal course of blessings follows them in their whole lives; but if at other times calamities fell on them, these were so much mitigated by the patience they were taught, and the inward assistances with which they were furnished, that even those crosses were converted to blessings.

I desired he would lay all these things together, and see what he could except to them, to make him think this was a contrivance. Interest appears in all human contrivances; our Saviour plainly had none; he avoided applause, withdrew himself from the offers of a crown; he submitted to poverty and reproach, and much contradiction in his life, and to a most ignominious and painful death. His apostles had none either; they did not pretend either to power or wealth; but delivered a doctrine that must needs condemn them, if they ever made such use of it; they declared their commission fully without reserves till other times; they recorded their own weakness; some of them wrought with their own hands; and, when they received the charities of their converts, it was not so much to supply their own ne-

cessities as to distribute to others; they knew they were to suffer much for giving their testimonies to what they had seen and heard; in which so many, in a thing so visible as Christ's resurrection and ascension, and the effusion of the Holy Ghost which he had promised, could not be deceived: and they gave such public confirmations of it, by the wonders they themselves wrought, that great multitudes were converted to a doctrine, which, besides the opposition it gave to lust and passion, was borne down and persecuted for three hundred years; and yet its force was such, that it not only weathered out all those storms, but even grew and spread vastly under them. Pliny, about threescore years after, found their numbers great, and their lives innocent: and even Lucian, amidst all his raillery, gives a high testimony to their charity and contempt of life, and the other virtues of the Christians; which is likewise more than once done by malice itself, Julian the apostate.

If a man will lay all this in one balance, and compare with it the few exceptions brought to it, he will soon find how strong the one, and how slight the other are. Therefore it was an improper way, to begin at some cavils about some passages in the New

Testament, or the Old, and from thence to prepossess one's mind against the whole. The right method had been first to consider the whole matter, and from so general a view to descend to more particular inquiries: whereas they suffered their minds to be forestalled with prejudices; so that they never examined the matter impartially.

To the greatest part of this he seemed to assent, only he excepted to the belief of mysteries in the Christian religion; which he thought no man could do, since it is not in a man's power to believe that which he cannot comprehend, and of which he can have no notion. The believing mysteries, he said, made way for all the jugglings of priests; for they, getting the people under them in that point, set out to them what they pleased; and, giving it a hard name, and calling it a mystery, the people were tamed, and easily believed it. The restraining a man from the use of women, except one in the way of marriage, and denying the remedy of divorce, he thought unreasonable impositions on the freedom of mankind: and the business of the clergy, and their maintenance, with the belief of some authority and power conveyed in their orders, looked, as he thought, like a piece of contrivance; and why, said he, must a man tell me, I can-

not be saved, unless I believe in things against my reason, and then that I must pay him for telling me of them? These were all the exceptions which at any time I heard from him to Christianity; to which I made these answers.

For mysteries, it is plain there is in every thing somewhat that is unaccountable. How animals or men are formed in their mothers' bellies, how seeds grow in the earth, how the soul dwells in the body, and acts and moves it; how we retain the figures of so many words or things in our memories, and how we draw them out so easily and orderly in our thoughts or discourses; how sight and hearing were so quick and distinct, how we move, and how bodies were compounded and united; these things, if we follow them into all the difficulties that we may raise about them, will appear every whit as unaccountable as any mystery of religion: and a blind or deaf man would judge sight or hearing as incredible as any mystery may be judged by us; for our reason is not equal to them. In the same rank, different degrees of age or capacity raise some far above others, so that children cannot fathom the learning, nor weak persons the counsels of more illuminated minds; therefore it was no wonder if we could not understand the Divine Essence. We cannot ima-

gine how two such different natures as a soul and a body should so unite together, and be mutually affected with one another's concerns; and how the soul has one principle of reason, by which it acts intellectually, and another of life, by which it joins to the body and acts vitally: two principles so widely differing both in their nature and operation, and yet united in one and the same person. There might be as many hard arguments brought against the possibility of these things, which yet every one knows to be true, from speculative notions, as against the mysteries mentioned in the scriptures. As that of the Trinity, that in one essence there are three different principles of operation, which, for want of terms fit to express them by, we call persons, and are called in scripture the Father, Son, and Holy Ghost; and that the second of these did unite himself in a most intimate manner with the human nature of Jesus Christ; and that the sufferings he underwent were accepted of God as a sacrifice for our sins; who thereupon conferred on him a power of granting eternal life to all that submit to the terms on which he offers it; and that the matter of which our bodies once consisted, which may as justly be called the bodies we laid down at our deaths as these can be said

to be the bodies which we formerly lived in, being refined and made more spiritual, shall be re-united to our souls, and become a fit instrument for them in a more perfect estate; and that God inwardly bends and moves our wills by such impressions as he can make on our bodies and minds.

These, which are the chief mysteries of our religion, are neither so unreasonable, that any other objection lies against them but this, that they agree not with our common notions, nor so unaccountable, that somewhat like them cannot be assigned in other things, which are believed really to be, though the manner of them cannot be apprehended: so this ought not to be any just objection to the submission of our reason to what we cannot so well conceive, provided our belief of it be well grounded. There have been too many niceties brought indeed rather to darken than explain these: they have been defended by weak arguments, and illustrated by similes not always so very apt and pertinent; and new subtilties have been added, which have rather perplexed than cleared them. All this cannot be denied; the opposition of heretics anciently occasioned too much curiosity among the fathers, which the schoolmen have wonderfully advanced of late times. But if mysteries

were received rather in the simplicity in which they are delivered in the scriptures than according to the descantings of fanciful men upon them, they would not appear much more incredible than some of the common objects of sense and perception. And it is a needless fear, that, if some mysteries are acknowledged, which are plainly mentioned in the New Testament, it will then be in the power of the priests to add more at their pleasure. For it is an absurd inference from our being bound to assent to some truths about the Divine Essence, of which the manner is not understood, to argue that therefore in an object, presented duly to our senses, such as bread and wine, we should be bound to believe, against their testimony, that it is not what our senses perceived it to be, but the whole flesh and blood of Christ, an entire body being in every crumb and drop of it. It is not, indeed, in a man's power to believe thus against his sense and reason, where the object is proportioned to them, and fitly applied, and the organs are under no indisposition or disorder. It is certain that no mystery is to be admitted but upon very clear and express authorities from scripture, which could not reasonably be understood in any other sense. And, though a man cannot form an

explicit notion of a mystery, for then it would be no longer a mystery, yet, in general, he may believe a thing to be, though he cannot give himself a particular account of the way of it; or, rather, though he cannot answer some objections which lie against it. We know we believe many such in human matters, which are more within our reach; and it is very unreasonable to say we may not do it in divine things, which are much more above our apprehensions.

For the severe restraint of the use of women, it is hard to deny that privilege to Jesus Christ, as a lawgiver, to lay such restraints as all inferior legislators do; who, when they find the liberties their subjects take prove hurtful to them, set such limits, and make such regulations, as they judge necessary and expedient. It cannot be said, but the restraint of appetite is necessary in some instances; and, if it is necessary in these, perhaps other restraints are no less necessary to fortify and secure them: for, if it be acknowledged that men have a property in their wives and daughters, so that to defile the one, or corrupt the other, is an unjust and injurious thing, it is certain that, except a man carefully governs his appetites, he will break through these restraints; and therefore

our Saviour, knowing that nothing could so effectually deliver the world from the mischief of unrestrained appetite as such a confinement, might very reasonably enjoin it. And, in all such cases, we are to balance the inconveniences on both hands; and, where we find they are heaviest, we are to acknowledge the equity of the law. On the one hand there is no prejudice, but the restraint of appetite; on the other are the mischiefs of being given up to pleasure, of running inordinately into it, of breaking the quiet of our own family at home and of others abroad, the engaging into much passion, the doing many false and impious things to compass what is desired, the waste of men's estates, time, and health. Now, let any man judge whether the prejudices on this side are not greater than that single one on the other side, of being denied some pleasure. For polygamy, it is but reasonable, since women are equally concerned in the laws of marriage, that they should be considered as well as men; but, in a state of polygamy, they are under great misery and jealousy, and are indeed barbarously used. Man being also of a sociable nature, friendship and converse were among the primitive intendments of marriage; in which, as far as the man may

excel the wife in greatness of mind and height of knowledge, the wife some way makes that up with her affection and tender care; so that from both happily mixed there arises a harmony, which is, to virtuous minds, one of the greatest joys of life: but all this is gone in a state of polygamy, which occasions perpetual jarrings and jealousies. And the variety does but engage men to a freer range of pleasure; which is not to be put in the balance with the far greater mischiefs that must follow the other course. So that it is plain our Saviour considered the nature of man, what it could bear, and what was fit for it, when he so restrained us in these our liberties. And for divorce, a power to break that bond would too much encourage married persons in the little quarrellings that may arise between them, if it were in their power to depart one from another: for, when they know that cannot be, and that they must live and die together, it does naturally incline them to lay down their resentments, and to endeavour to live together as well as they can. So, the law of the Gospel being a law of love, designed to engage Christians to mutual love, it was fit that all such provisions should be made as might advance and maintain it, and all such liberties be taken

away as are apt to enkindle or foment strife. This might fall in some instances to be uneasy and hard enough; but laws consider what falls out most commonly, and cannot provide for all particular cases. The best laws are, in some instances, very great grievances; but, the advantages being balanced with the inconveniences, measures are to be taken accordingly. Upon this whole matter I said, that pleasure stood in opposition to other considerations of great weight, and so the decision was easy: and, since our Saviour offers us so great rewards, it is but reasonable he have the privilege of loading these promises with such conditions as are not in themselves grateful to our natural inclinations; for all that propose high rewards have thereby a right to exact difficult performances.

To this he said, we are sure the terms are difficult, but are not so sure of the rewards. Upon this I told him, that we have the same assurance of the rewards that we have of the other parts of the Christian religion. We have the promises of God, made to us by Christ, confirmed by many miracles; we have the earnests of these, in the quiet and peace which follow a good conscience, and in the resurrection of him from the dead who hath

promised to raise us up. So that the reward is sufficiently assured to us; and there is no reason it should be given to us before the conditions are performed on which the promises are made. It is but reasonable that we should trust God, and do our duty, in hopes of that eternal life which God, who cannot lie, hath promised. The difficulties are not so great as those which sometimes the commonest concerns of life bring upon us: the learning some trades or sciences, the governing our health and affairs, bring us often under as great straits: so that it ought to be no just prejudice that there are some things in religion that are uneasy, since this is rather the effect of our corrupt natures, which are farther depraved by vicious habits, and can hardly turn to any new course of life without some pain, than of the dictates of Christianity, which are in themselves just and reasonable, and will be easy to us when renewed and in a good measure restored to our primitive integrity.

As for the exceptions he had to the maintenance of the clergy, and the authority to which they pretended, if they stretched their designs too far, the Gospel did plainly reprove them for it; so that it was very suitable to that church, which was so grossly

faulty this way, to take the scriptures out of the hands of the people, since they do so manifestly disclaim all such practices. The priests of the true Christian religion have no secrets among them which the world must not know; but are only an order of men, dedicated to God, to attend on sacred things, who ought to be holy in a more peculiar manner, since they are to handle the things of God. It was necessary that such persons should have a due esteem paid them, and a fit maintenance appointed for them, that so they might be preserved from the contempt that follows poverty, and the distractions which the providing against it might otherwise involve them in. And as, in the order of the world, it was necessary, for the support of magistracy and government, and for preserving its esteem, that some state be used, though it is a happiness when great men have philosophical minds to despise the pageantry of it: so the plentiful supply of the clergy if well used and applied by them, will certainly turn to the advantage of religion. And, if some men, either through ambition or covetousness, used indirect means, or servile compliances, to aspire to such dignities, and, being possessed of them, applied their wealth either to luxury or vain

pomp, or made great fortunes out of it for their families, these were personal failings, in which the doctrine of Christ was not concerned.

He upon that told me plainly, there was nothing that gave him, and many others, a more secret encouragement in their ill ways, than that those, who pretended to believe, lived so that they could not be thought to be in earnest when they said it: for he was sure religion was a mere contrivance, or the most important thing that could be; so that, if he once believed, he would set himself in great earnest to live suitably to it. The aspirings that he had observed at court of some of the clergy, with the servile ways they took to attain to preferment, and the animosities among those of several parties about trifles, made him often think they suspected the things were not true, which in their sermons and discourses they so earnestly recommended. Of this he had gathered many instances: I knew some of them were mistakes and calumnies; yet I could not deny but something of them might be too true: and I publish this the more freely, to put all that pretend to religion, chiefly those that are dedicated to holy functions, in mind of the great obligation that lies on them to live suitably to their pro-

fession; since otherwise a great deal of the irreligion and atheism, that is among us, may too justly be charged on them: for wicked men are delighted out of measure when they discover ill things in them, and conclude, from thence, not only that they are hypocrites, but that religion itself is a cheat.

But I said to him upon this head, that, though no good man could continue in the practice of any known sin, yet such might, by the violence or surprise of a temptation, to which they are liable as much as others, be on a sudden overcome to do an ill thing, to their great grief all their life after; and then it was a very unjust inference, upon some few failings, to conclude that such men do not believe themselves. But, how bad soever many are, it cannot be denied but there are also many, both of the clergy and laity, who give great and real demonstrations of the power religion has over them, in their contempt of the world, the strictness of their lives, their readiness to forgive injuries, to relieve the poor, and to do good on all occasions; and yet even these may have their failings, either in such things in which their constitutions are weak, or their temptations strong and sudden; and in all such cases we are to judge of men rather by the course

of their lives than by the errors that they, through infirmity or surprise, may have slipped into.

These were the chief heads we discoursed on; and, as far as I can remember, I have faithfully repeated the substance of our arguments. I have not concealed the strongest things he said to me; but, though I have not enlarged on all the excursions of his wit in setting them off, yet I have given them their full strength, as he expressed them, and, as far as I could recollect, have used his own words; so that I am afraid some may censure me for setting down these things so largely, which impious men may make an ill use of, and gather together to encourage and defend themselves in their vices: but, if they will compare them with the answers made to them, and the sense that so great and refined a wit had of them afterwards, I hope they may, through the blessing of God, be not altogether ineffectual.

The issue of all our discourse was this; he told me, he saw vice and impiety were as contrary to human society as wild beasts let loose would be; and therefore he firmly resolved to change the whole method of his life, to become strictly just and true, to be chaste and temperate, to forbear swearing and irreligious

discourse, to worship and pray to his Maker; and that, though he was not arrived at a full persuasion of Christianity, he would never employ his wit more to run it down, or to corrupt others. Of which I have since a farther assurance from a person of quality who conversed much with him the last year of his life; to whom he would often say, that he was happy if he did believe, and that he would never endeavour to draw him from it.

To all this I answered, that a virtuous life would be very uneasy to him unless vicious inclinations were removed: it would otherwise be a perpetual constraint. Nor could it be effected without an inward principle to change him; and that was only to be had by applying himself to God for it in frequent and earnest prayer: and, I was sure, if his mind were once cleared of these disorders, and cured of those distempers, which vice brought on it, so great an understanding would soon see through all those flights of wit that do feed atheism and irreligion, which have a false glittering in them, that dazzles some weak-sighted minds, who have not capacity enough to penetrate farther than the surfaces of things; and so they stick in these toils, which the strength of his mind would soon

break through, if it were once freed from those things that depressed and darkened it.

At this pass he was when he went from London about the beginning of April: he had not been long in the country, when he thought he was so well, that, being to go to his estate in Somersetshire, he rode thither post. This heat and violent motion did so inflame an ulcer with which he was afflicted, that he with much difficulty came back by coach to the lodge at Woodstock-park. He was then wounded both in body and mind; he understood physic and his own constitution and distemper so well, that he concluded he could hardly recover. But now the hand of God touched him, and, as he told me, it was not only a general dark melancholy over his mind, such as he had formerly felt, but a most penetrating cutting sorrow: so that, though in his body he suffered extreme pain for some weeks, yet the agonies of his mind sometimes swallowed up the sense of what he felt in his body. He told me, and gave it me in charge to tell it to one for whom he was much concerned, that, though there were nothing to come after this life, yet all the pleasures he had ever known in sin were not worth that torture he had felt in his mind.

He considered he had not only neglected and dishonoured, but had openly defied his Maker, and had drawn many others into the like impieties; so that he looked on himself as one that was in great danger of being damned. He then set himself wholly to turn to God unfeignedly, and to do all that was possible, in that little remainder of his life which was before him, to redeem those great portions of it that he had formerly so ill employed. The minister, that attended constantly on him, was that good and worthy man, Mr. Parsons, his mother's chaplain, who hath since his death preached, according to the directions he received from him, his funeral sermon; in which there are so many remarkable passages, that I shall refer my reader to them, and will repeat none of them here, that I may not thereby lessen his desire to edify himself by that excellent discourse, which hath given so great and so general a satisfaction to all good and judicious readers. I shall speak cursorily of every thing, but that which I had immediately from himself. He was visited every week of his sickness by his diocesan, that truly primitive prelate, the Lord Bishop of Oxford; who, though he lived six miles from him, yet looked on this as so important a piece of his pastoral care, that he went

often to him, and treated him with that decent plainness and freedom which is so natural to him; and took care also that he might not, on terms more easy than safe, be at peace with himself. Dr. Marshall, the learned and worthy rector of Lincoln College in Oxford, being the minister of the parish, was also frequently with him; and by these helps he was so directed and supported, that he might not on the one hand satisfy himself with too superficial a repentance, nor on the other hand be out of measure oppressed with a sorrow without hope. As soon as I heard he was ill, but yet in such a condition that I might write to him, I wrote a letter to the best purpose I could. He ordered one that was then with him, to assure me it was very welcome to him; but, not satisfied with that, he sent me an answer, of which, as the Countess of Rochester, his mother, told me, he dictated every word, and then signed it. I was once unwilling to have published it, because of a compliment in it to myself, far above my merit, and not very well suiting with his condition.

But the sense he expresses in it, of the change then wrought on him, hath upon second thoughts prevailed with me to publish it, leaving out what concerns myself.

" Woodstock-Park, Oxfordshire.

" My most honoured Dr. Burnet,

" My spirits and body decay so equally together, that I shall write you a letter, as weak as I am, in person. I begin to value churchmen above all men in the world, &c. If God be yet pleased to spare me longer in this world, I hope in your conversation to be exalted to that degree of piety, that the world may see how much I abhor what I so long loved, and how much I glory in repentance and in God's service. Bestow your prayers upon me, that God would spare me, if it be his good will, to show a true repentance and amendment of life for the time to come: or else, if the Lord pleaseth to put an end to my worldly being now, that he would mercifully accept of my death-bed repentance, and perform that promise that he hath been pleased to make, that, at what time soever a sinner doth repent, he would receive him. Put up these prayers, most dear doctor, to Almighty God, for

" Your most obedient, and
" languishing servant,

" June 25, 1680. " Rochester."

He told me, when I saw him, that he hoped I would come to him upon that general insi-

nuation of the desire he had of my company; and he was loth to write more plainly, not knowing whether I could easily spare so much time. I told him, that, on the other hand, I looked on it as a presumption to come so far when he was in such excellent hands; and, though perhaps the freedom formerly between us might have excused it with those to whom it was known, yet it might have the appearance of so much vanity to such as were strangers to it; so that, till I received his letter, I did not think it convenient to come to him; and then, not hearing that there was any danger of a sudden change, I delayed going to him till the twentieth of July. At my coming to his house, an accident fell out not worth mentioning but that some have made a story of it. His servant, being a Frenchman, carried up my name wrong, so that he mistook it for another who had sent to him that he would undertake his cure, and he, being resolved not to meddle with him, did not care to see him: this mistake lasted some hours, with which I was the better contented, because he was not then in such a condition that my being about him could have been of any use to him; for that night was like to have been his last. He had a convulsion-fit, and raved; but, opiates being given

him, after some hours' rest, his raving left him so entirely, that it never again returned to him.

I cannot easily express the transport he was in when he awoke and saw me by him; he broke out in the tenderest expressions concerning my kindness in coming so far to see such an one, using terms of great abhorrence concerning himself, which I forbear to relate. He told me, as his strength served him at several snatches, for he was then so low that he could not hold up discourse long at once, what sense he had of his past life; what sad apprehension for having so offended his Maker and dishonoured his Redeemer; what horrors he had gone through, and how much his mind was turned to call on God and on his crucified Saviour, so that he hoped he should obtain mercy; for he believed he had sincerely repented, and had now a calm in his mind after that storm that he had been in for some weeks. He had strong apprehensions and persuasions of his admittance to Heaven, of which he spake once, not without some extraordinary emotion. It was, indeed, the only time that he spake with any great warmth to me; for his spirits were then low, and so far spent, that though those about him told me he had expressed formerly great fervour in his devotions,

yet, nature was so much sunk, that these were in a great measure fallen off. But he made me pray often with him, and spake of his conversion to God as a thing now grown up in him to a settled and calm serenity. He was very anxious to know my opinion of a death-bed repentance. I told him, that, before I gave any resolution in that, it would be convenient that I should be acquainted more particularly with the circumstances and progress of his repentance.

Upon this, he satisfied me in many particulars. He said he was now persuaded both of the truth of Christianity and of the power of inward grace, of which he gave me this strange account. He said, Mr. Parsons, in order to his conviction, read to him the fifty-third chapter of the prophecy of Isaiah, and compared that with the history of our Saviour's passion, that he might there see a prophecy concerning it, written many ages before it was done; which the Jews, that blasphemed Jesus Christ, still kept in their hands as a book divinely inspired. He said to me, that, as he heard it read, he felt an inward force upon him, which did so enlighten his mind and convince him, that he could resist it no longer; for the words had an authority which did shoot like rays or beams in his mind; so that he

was not only convinced by the reasonings he had about it, which satisfied his understanding, but by a power which did so effectually constrain him, that he did ever after as firmly believe in his Saviour as if he had seen him in the clouds. He had made it be read so often to him, that he had got it by heart, and went through a great part of it, in discourse with me, with a sort of heavenly pleasure, giving me his reflections on it. Some few I remember. *Who hath believed our report?* (verse 1.) Here, he said, was foretold the opposition the Gospel was to meet with from such wretches as he was. *He hath no form nor comeliness, and when we shall see him there is no beauty that we should desire him.* (verse 2.) On this, he said, the meanness of his appearance and person has made vain and foolish people disparage him, because he came not in such a fool's coat as they delight in. What he said on the other parts I do not well remember; and indeed I was so affected with what he said then to me, that the general transport I was under during the whole discourse made me less capable to remember these particulars as I wish I had done.

He told me, that he had thereupon received the sacrament with great satisfaction; and that was increased by the pleasure he had in

his lady's receiving it with him, who had been for some years misled into the communion of the church of Rome, and he himself had been not a little instrumental in procuring it, as he freely acknowledged: so that it was one of the joyfullest things that befel him in his sickness, that he had seen that mischief removed in which he had so great a hand: and, during his whole sickness, he expressed so much tenderness and true kindness to his lady, that, as it easily defaced the remembrance of every thing wherein he had been in fault formerly, so it drew from her the most passionate care and concern for him that was possible; which indeed deserves a higher character than is decent to give of a person yet alive. But I shall confine my discourse to the dead.

He told me, he had overcome all his resentments to all the world, so that he bore ill-will to no person, nor hated any upon personal accounts. He had given a true state of his debts, and had ordered to pay them all, as far as his estate, that was not settled, could go; and was confident, that if all that was owing to him were paid to his executors, his creditors would be all satisfied. He said, he found his mind now possessed with another sense of things than ever he had for-

merly. He did not repine under all his pain; and, in one of the sharpest fits he was under while I was with him, he said, he did willingly submit; and, looking up to heaven, said, "God's holy will be done; I bless him for all he does to me." He professed, he was contented either to die or live, as should please God; and, though it was a foolish thing for a man to pretend to choose whether he would die or live, yet he wished rather to die. He knew he could never be so well that life should be comfortable to him. He was confident he should be happy if he died; but he feared, if he lived, he might relapse; "and then," said he to me, "in what a condition shall I be if I relapse after all this!" But, he said, he trusted in the grace and goodness of God, and was resolved to avoid all those temptations, that course of life and company, that were likely to ensnare him; and he desired to live on no other account, but that he might, by the change of his manners, some way take off the high scandal his former behaviour had given. All these things, at several times, I had from him, besides some messages, which very well became a dying penitent, to some of his former friends, and a charge to publish any thing concerning him that might be a means to re-

claim others; praying God, that as his life had done much hurt, so his death might do some good.

Having understood all these things from him, and being pressed to give him my opinion plainly about his eternal state, I told him, that though the promises of the Gospel did all depend upon a real change of heart and life, as the indispensable condition upon which they were made; and that it was scarce possible to know certainly whether our hearts are changed, unless it appeared in our lives; and, the repentance of most dying men being like the howlings of condemned prisoners for pardon, which flowed from no sense of their crimes, but from the horror of approaching death, there was little reason to encourage any to hope much from such sorrowing; yet, certainly, if the mind of a sinner, even on a death-bed, be truly renewed and turned to God, so great is his mercy, that he will receive him even in that extremity. He said, he was sure his mind was entirely turned; and, though horror had given him his first awaking, yet that was now grown up into a settled faith and conversion.

There is but one prejudice lies against all this, to defeat the good ends of divine providence by it upon others as well as on him-

self; and that is, that it was a part of his disease, and that the lowness of his spirits made such an alteration in him, that he was not what he had formerly been; and this some have carried so far as to say that he died mad. These reports are raised by those who are unwilling that the last thoughts or words of a person every way so extraordinary should have any effect either on themselves or others; and it is to be feared, that some may have so far seared their consciences, and exceeded the common measures of sin and infidelity, that neither this testimony, nor one coming from the dead, would signify much towards their conviction. That this lord was either mad or stupid is a thing so notoriously untrue, that it is the greatest impudence for any that were about him to report it, and a very unreasonable credulity in others to believe it. All the while I was with him, after he had slept out the disorders of the fit he was in the first night, he was not only without ravings, but had a clearness in his thoughts, in his memory, in his reflections on things and persons, far beyond what I ever saw in a person so low in his strength. He was not able to hold out long in discourse, for his spirits failed; but once for half an hour, and often for a quarter of an

hour, after he awoke, he had a vivacity in his discourse that was extraordinary, and in all things like himself. He called often for his children, his son (afterwards Earl of Rochester), and his three daughters, and spake to them with a sense and feeling that cannot be expressed in writing. He called me once to look on them all, and said, "See how good God has been to me, in giving me so many blessings, and I have carried myself to him like an ungracious and unthankful dog." He once talked a great deal to me of public affairs, and of many persons and things, with the same clearness of thought and expression that he had ever done before: so that by no sign but his weakness of body, and giving over discourse so soon, could I perceive a difference between what his parts formerly were and what they were then.

And that wherein the presence of his mind appeared most, was in the total change of an ill habit grown so much upon him, that he could hardly govern himself, when he was any ways heated, three minutes without falling into it: I mean swearing. He had acknowledged to me the former winter, that he abhorred it as a base and indecent thing, and had set himself much to break it off; but he confessed, that he was so overpowered by that

ill custom, that he could not speak with any warmth without repeated oaths, which, upon any sort of provocation, came almost naturally from him; but, in his last remorses, this did so sensibly affect him, that, by a resolute and constant watchfulness, the habit of it was perfectly mastered; so that, upon the returns of pain, which were very severe and frequent upon him the last day I was with him, or upon such displeasures as people sick or in pain are apt to take on a sudden at those about them—on all those occasions he never swore an oath all the while I was there.

Once he was offended with the delay of one he thought made not haste enough with somewhat he called for, and said, in a little heat, "that damned fellow:" soon after I told him, I was glad to find his style so reformed, and that he had so entirely overcome that ill habit of swearing; only that word of calling any damned, which had returned upon him, was not decent. His answer was: "Oh! that language of fiends, which was so familiar to me, hangs yet about me: sure none has deserved more to be damned than I have done." And, after he had humbly asked God pardon for it, he desired me to call the person to him, that he might ask him forgiveness: but I told him that was needless; for he had said it of one

that did not hear it, and so could not be offended by it.

In this disposition of mind did he continue all the while I was with him, four days together: he was then brought so low, that all hopes of recovery were gone. He experienced much pain at intervals, and one day suffered inexpressible torment; yet he bore it decently, without breaking out into repinings or impatient complaints. The whole substance of his body was wasted, and nothing was left but skin and bone; and by lying much on his back, the parts there began to mortify: but he had been formerly so low, that he seemed as much past all hopes of life as now: which made him one morning, after a full and sweet night's rest, procured by laudanum given him without his knowledge, to fancy it was an effort of nature, and to begin to entertain some hopes of recovery: for he said he felt himself perfectly well, and that he had nothing ailing him but an extreme weakness, which might go off in time; and then he entertained me with the scheme he had laid down for the rest of his life; how retired, how strict, and how studious, he intended to be: but this was soon over; for he quickly felt that it was only the effect of a good sleep, and that he was still in a very desperate state.

I thought to have left him on Friday; but, not without some passion, he desired me to stay that day. There appeared no symptom of present death; and a worthy physician then with him told me, that though he was so low that an accident might carry him away on a sudden, yet, without that, he thought he might live yet some weeks. So, on Saturday, at four o'clock in the morning, I left him, being the 24th of July. But I durst not take leave of him; for he had expressed so great an unwillingness to part with me the day before, that if I had not presently yielded to one day's stay, it was like to have given him some trouble, therefore I thought it better to leave him without any formality. Some hours after he asked for me; and when it was told him I was gone, he seemed to be troubled, and said, "Has my friend left me? then I shall die shortly." After that, he spake but once or twice till he died: he lay much silent: once they heard him praying very devoutly. And on Monday, about two o'clock in the morning, he died, without any convulsion, or so much as a groan.

Thus he lived, and thus he died in the three and thirtieth year of his age. Nature had fitted him for great things, and his knowledge and observation qualified him to have

been one of the most extraordinary men, not only of his nation, but of the age he lived in; and I do verily believe, that if God had thought fit to have continued him longer in the world, he had been the wonder and delight of all that knew him: but the infinite wise God knew better what was fit for him, and what the age deserved: for men, who have so cast off all sense of God and religion, deserve not so signal a blessing as the example and conviction which the rest of his life might have given them: and I am apt to think that the Divine Goodness took pity on him; and, seeing the sincerity of his repentance, would try and venture him no more in circumstances of temptation, perhaps too hard for human frailty. Now he is at rest; and, I am very confident, enjoys the fruits of his late, but sincere, repentance. But such as live, and still go on in their sins and impieties, and will not be awakened, either by this or the other alarms that are about their ears, are, it seems, given up by God to a judicial hardness and impenitency.

Here is a public instance of one who lived of their side, but could not die of it; and though none of all our libertines understood better than he the secret mysteries of sin, had more studied every thing that could support

a man in it, and had more resisted all external means of conviction than he had done; yet, when the hand of God inwardly touched him, he could no longer kick against those pricks, but humbled himself under that mighty hand: and, as he used often to say in his prayers, he who had so often denied him, found then no other shelter but his mercies and compassions.

I have written this account with all the tenderness and caution I could use, and in whatsoever I may have failed, I have been strict in the truth of what I have related, remembering that of Job, "Will ye lie for God?" Religion has strength and evidence enough in itself, and needs no support from lies and made stories. I do not pretend to have given the formal words that he said, though I have done that where I could remember them. But I have written this with the same sincerity that I would have done had I known I had been to die immediately after I had finished it. I did not take notes of our discourses last winter after we parted; so I may, perhaps, in the setting out of my answers to him, have enlarged on several things both more fully and more regularly, than I could say them in such free discourses as we had. I am not so sure of all I set down, as said by

me, as I am of all said by him to me; but yet the substance of the greatest part, even of that, is the same.

It remains that I humbly and earnestly beseech all that shall take this book in their hands, that they will consider it entirely, and not wrest some parts to an ill intention. God, the searcher of hearts, knows with what fidelity I have written it; but if any will drink up only the poison that may be in it, without taking also the antidote here given to those ill principles, or considering the sense that this great person had of them, when he reflected seriously on them; and will rather confirm themselves in their ill ways, by the scruples and objections which I set down, than be edified by the other parts of it; as I shall look on it as a great infelicity that I should have said any thing that may strengthen them in their impieties, so the sincerity of my intentions will, I doubt not, excuse me at his hands, to whom I offer up this small service.

I have now performed, in the best manner I could, what was left on me by this noble Lord, and have done with the part of an historian. I shall in the next place say somewhat as a divine. So extraordinary a text does almost force a sermon, though it is plain enough itself, and speaks with so loud a voice,

that those who are not awakened by it will, perhaps, consider nothing that I can say. If our libertines will become so far sober as to examine their former course of life with that disengagement and impartiality which they must acknowledge a wise man ought to use in things of greatest consequence, and balance the account of what they have got by their debaucheries with the mischiefs they have brought on themselves and others by them, they will soon see what a mad bargain they have made. Some diversion, mirth, and pleasure, is all they can promise themselves; but, to obtain this, how many evils are they to suffer! How have many wasted their strength, brought many diseases on their bodies, and precipitated their age in the pursuit of those things! And as they bring old age early on themselves, so it becomes a miserable state of life to the greatest part of them; gouts, stranguries, and other infirmities, being severe reckonings for their past follies; not to mention the more loathsome diseases, with their no less loathsome and troublesome cures, which they must often go through who deliver themselves up to forbidden pleasures. Many are disfigured beside with the marks of their intemperance and lewdness: and, which is yet sadder, an infection is derived ofttimes on

their innocent but unhappy issue, who, being descended from so vitiated an original, suffer for their excesses. Their fortunes are profusely wasted, both by their neglect of their affairs, they being so buried in vice that they cannot employ either their time or spirits, so much exhausted by intemperance, to consider them; and by that prodigal expense which their lusts put them upon. They suffer no less in their credit, the chief mean to recover an entangled estate; for that irregular expense forces them to so many mean shifts, makes them so often false to all their promises and resolutions, that they must needs feel how much they have lost that, which a gentleman, and men of ingenuous tempers, do sometimes prefer even to life itself, their honour and reputation. Nor do they suffer less in the nobler powers of their minds, which, by a long course of such dissolute practices, come to sink and degenerate so far, that not a few, whose first blossoms gave the most promising hopes, have so withered, as to become incapable of great and generous undertakings, and to be disabled to every thing, but to wallow like swine in the filth of sensuality, their spirits being dissipated, and their minds so benumbed, as to be wholly unfit for business, and even indisposed to think.

That this dear price should be paid for a little wild mirth, or gross and corporal pleasure, is a thing of such unparalleled folly, that if there were not too many such instances before us, it might seem incredible. To all this we must add the horrors that their ill actions raise in them, and the hard shifts they are put-to to stave off these, either by being perpetually drunk or mad, or by an habitual disuse of thinking and reflecting on their actions, and (if these arts will not perfectly quiet them) by taking sanctuary in such atheistical principles as may at least mitigate the sourness of their thoughts, though they cannot absolutely settle their minds.

If the state of mankind and human societies is considered, what mischiefs can be equal to those which follow these courses? Such persons are a plague wherever they come; they can neither be trusted nor be loved, having cast off both truth and goodness, which procure confidence and attract love; they corrupt some by their ill practices, and do irreparable injuries to the rest; they run great hazards, and put themselves to much trouble, and all this to do what is in their power to make damnation as sure to themselves as possibly they can. What influence this has on the whole nation is but too visible;

how the bonds of nature, wedlock, and all other relations, are quite broken: virtue is thought an antique piece of formality, and religion the effect of cowardice or knavery; these are the men that would reform the world, by bringing it under a new system of intellectual and moral principles; but, bate them a few bold and lewd jests, what have they ever done, or designed to do, to make them be remembered, except it be with detestation? They are the scorn of the present age, and their names must rot in the next. Here they have before them an instance of one, who was deeply corrupted with the contagion which he first derived from others, but unhappily heightened it much himself. He was a master indeed, and not a bare trifler with wit, as some of those are who repeat, and that but scurvily, what they may have heard from him or some others, and with impudence and laughter will face the world down, as if they were to teach it wisdom; who, God knows, cannot follow one thought a step farther than as they have conned it; and take from them their borrowed wit and mimical humour, and they will presently appear, what they indeed are, the least and lowest of men.

If they will, or if they can, think a little, I wish they would consider that, by their own

principles, they cannot be sure that religion is only a contrivance; all they pretend to is only to weaken some arguments that are brought for it; but they have not brow enough to say they can prove that their own principles are true; so that, at most, they bring their cause no higher than that it is possible religion may not be true. But still it is possible it may be true, and they have no shame left that will deny that it is also probable it may be true; and if so, then what madmen are they who run so great a hazard for nothing! By their own confession, it may be there is a God, a judgement, and a life to come; and if so, then he that believes these things, and lives according to them, as he enjoys a long course of health and quiet of mind, an innocent relish of many true pleasures, and the serenities which virtue raises in him, with the good-will and friendship which it procures him from others; so when he dies, if these things prove mistakes, he does not outlive his error, nor shall it afterwards raise trouble or disquiet in him, if he then ceases to be; but, if these things be true, he shall be infinitely happy in that state, where his present small services shall be so excessively rewarded. The libertines, on the other side, as they know they must die, so the thoughts of death must be

always melancholy to them; they can have no pleasant view of that which yet they know cannot be very far from them; the least painful idea they can have of it is, that it is an extinction and ceasing to be, but they are not sure even of that; some secret whispers within make them, whether they will or not, tremble at the apprehensions of another state; neither their tinsel wit, nor superficial learning, nor their impotent assaults upon the weak side, as they think, of religion, nor the boldest notions of impiety, will hold them up then. Of all which I now present so lively an instance, as perhaps history can scarcely parallel.

Here were parts so exalted by nature, and improved by study, and yet so corrupted and debased by irreligion and vice, that he, who was made to be one of the glories of his age, was become a proverb, and, if his repentance had not interposed, would have been one of the greatest reproaches of it. He knew well the small strength of that weak cause, and at first despised, but afterwards abhorred it. He felt the mischiefs, and saw the madness of it; and therefore, though he lived to the scandal of many, he died as much to the edification of all those who saw him: and because they were but a small number, he de-

sired that he might even when dead yet speak. He was willing nothing should be concealed that might cast reproach on himself and on sin, and offer up glory to God and religion. So that, though he lived a heinous sinner, yet he died a most exemplary penitent.

It would be a vain and ridiculous inference for any, from hence to draw arguments about the abstruse secrets of predestination, and to conclude, that, if they are of the number of the elect, they may live as they will, and that Divine Grace will at some time or other violently constrain them, and irresistibly work upon them. But as St. Paul was called to that eminent service for which he was appointed, in so stupendous a manner as is no warrant for others to expect such a vocation, so, if upon some signal occasions such conversions fall out, which, how far they are short of miracles, I shall not determine, it is not only a vain, but a pernicious imagination, for any to go on in their ill ways upon a fond conceit and expectation that the like will befall them: for, whatsoever God's extraordinary dealings with some may be, we are sure his common way of working is, by offering these things to our rational faculties, which, by the assistances of his grace, if we improve

them all we can, shall be certainly effectual for our reformation; and, if we neglect or abuse these, we put ourselves beyond the common methods of God's mercy, and have no reason to expect that wonders should be wrought for our conviction; which, though they sometimes happen, that they may give an effectual alarm for the awakening of others, yet it would destroy the whole design of religion, if men should depend upon, or look for, such an extraordinary and forcible operation of God's grace.

And I hope that those who have had some sharp reflections on their past life, so as to be resolved to forsake their ill courses, will not take the least encouragement to themselves in that desperate and unreasonable resolution of putting off their repentance till they can sin no longer, from the hopes I have expressed of this lord's obtaining mercy at last, and from thence presume, that they also shall be received when they turn to God on their death-beds: for, what mercy soever God may show to such as really were never inwardly touched before that time, yet there is no reason to think, that those who have dealt so disingenuously with God and their own souls, as designedly to put off their turning to him upon such considerations, should then be

accepted with him. They may die suddenly, or by a disease that may so disorder their understandings, that they shall not be in any capacity of reflecting on their past lives. The inward conversion of our minds is not so in our power that it can be effected without divine grace assisting; and there is no reason for those, who have neglected these assistances all their lives, to expect them in so extraordinary a manner at their death. Nor can one, especially in a sickness that is quick and critical, be able to do those things that are often indispensably necessary to make his repentance complete; and even in a longer disease, in which there are larger opportunities for these things. Yet there is great reason to doubt of a repentance, begun and kept up merely by terror, and not from any ingenuous principle. In which, though I will not take on me to limit the mercies of God, which are boundless, yet this must be confessed, that to delay repentance with such a design, is to put the greatest concernment we have upon the most dangerous and desperate issue that is possible.

But they that will still go on in their sins, and be so partial to them as to use all endeavours to strengthen themselves in their evil course, even by these very things which

the providence of God sets before them for the casting down of these strong holds of sin: what is to be said to such? It is to be feared, that, if they obstinately persist, they will by degrees come within that curse, *He that is unjust, let him be unjust still: and he that is filthy, let him be filthy still. But, if our Gospel is hid, it is hid to them that are lost, in whom the God of this world hath blinded the minds of them which believe not, lest the light of the glorious Gospel of Christ, who is the image of God, should shine unto them.*

A SERMON

PREACHED AT THE FUNERAL OF

JOHN EARL OF ROCHESTER,

By ROBERT PARSONS, M.A.

CHAPLAIN TO ANNE COUNTESS OF ROCHESTER.

ADVERTISEMENT.

ALL the lewd and profane poems and libels of the late Lord Rochester having been, contrary to his dying request, and in defiance of religion, government, and common decency, published to the world; and for the easier and surer propagation of vice, printed in penny books, and cried about the streets of this honourable city, without any offence or dislike taken at them: it is humbly hoped that this short discourse, which gives a true account of the death and repentance of that noble lord, may likewise, for the sake of his name, find a favourable reception among such persons: though the influence of it cannot be supposed to reach as far as the poison of the other books is spread; which, by the strength of their own virulent corruption, are capable of doing more mischief than all the plays, and fairs, and stews, in and about this town can do together.

LUKE xv. 7.

say unto you, that likewise joy shall be in heaven over one sinner that repenteth, more than over ninety and nine just persons that need no repentance.

If ever there were a subject that might deserve and exhaust all the treasures of religious eloquence in the description of so great a man, and so great a sinner, as now lies before us; together with the wonders of the Divine Goodness, in making him as great a penitent; I think the present occasion affords one as remarkable as any place or age can produce.

Indeed, so great and full a matter it is, that it is too big to come out of my mouth, and perhaps not all of it fit or needful so to do. The greatness of his parts are well enough known, and of his sins too well, in the world; and neither my capacity, nor experience, nor my profession, will allow me to be so proper a judge either of the one or the other. Only as God has been pleased to make me a long while a sad spectator and a secret mourner for his sins, so has he at last graciously heard the prayers of his nearest re-

lations and true friends for his conversion and repentance: and it is the good tidings of that especially, which God has done for his soul, that I am now to publish and tell abroad to the world, not only by the obligations of mine office, in which I had the honour to be a weak minister to it, but by his own express and dying commands.

Now, although to describe this worthily would require a wit equal to that with which he lived, and a devotion too equal to that with which he died, and to match either would be a very hard task; yet, besides that I am not sufficient for these things, for who is? and that my thoughts have been rather privately busied to secure a real repentance to himself whilst living than to publish it abroad to others in an artificial dress after he is dead: I say, besides all this, I think I shall have less need to call in the aids of secular eloquence. The proper habit of repentance is not fine linen, or any delicate array, such as are used in the court, or king's houses, but sackcloth and ashes; and the way, which God Almighty takes to convey it, is not by the words of man's wisdom, but by the plainness of his written word, assisted by the inward power and demonstration of the Spirit;

and the effects it works, and by which it discovers itself, are not any raptures of wit and fancy, but the most humble prostrations both of soul and spirit, and the captivating all human imaginations to the obedience of a despised religion and a crucified Saviour.

And it is in this array I intend to bring out this penitent to you; an array which I am sure he more valued, and desired to appear in, both to God and the world, than in all the triumphs of wit and gallantry; and, therefore, waving all these rhetorical flourishes, as beneath the solemnity of the occasion, and the majesty of that great and weighty truth I am now to deliver, I shall content myself with the office of a plain historian, to relate faithfully and impartially what I saw and heard, especially during his penitential sorrows; which, if all that hear me this day had been spectators of, there would then have been no need of a sermon to convince men; but every man would have been as much a preacher to himself of this truth as I am, except these sorrows: and yet even these sorrows should be turned into joys too, if we would only do what we pray for, that the will of God may be done in earth as it is in heaven; for so our blessed Lord assures us: "I say unto you,

that likewise joy shall be in heaven over one sinner that repenteth," &c. From which I shall consider—

I. The sinner particularly that is before us.

II. The repentance of this sinner, together with the means, the time, and all probable sincerity of it.

III. The joy that is in heaven, and should be on earth, for the repentance of this sinner.

IV. I shall apply myself to all that hear me; that they would join in this joy, in praise and thanksgiving to God, for the conversion of this sinner; and, if there be any that have been like him in their sins, that they would also speedily imitate him in their repentance.

And, I. Let us consider the person before us, as he certainly was a great sinner. But, because man was upright before he was a sinner, and, to measure the greatness of his fall, it will be necessary to take a view of that height from which he fell, give me leave to go back a little, to look into the rock from which he was hewn, the quality, family, education, and personal accomplishments, of this great man. In doing of which, I think no man will charge me with any design of customary flattery or formality; since I intend only thereby to show the greatness and un-

happiness of his folly, in perverting so many excellent abilities and advantages for virtue and piety in the service of sin, and so becoming a more universal, insinuating, and prevailing example of it.

As for his family, on both sides, from which he was descended, they were some of the most famous in their generations. His grandfather was that excellent and truly great man, Charles, Lord Wilmot, Viscount Athlone in Ireland. Henry, his father, who inherited the same title and greatness, was by his late majesty, King Charles I. created Baron of Adderbury, in Oxfordshire, and, by his present majesty, Earl of Rochester. He was a man of signal loyalty and integrity indeed; and of such courage and conduct in military affairs as became a great general. His mother was the relict of Sir Francis Henry Lee, of Ditchley, in the county of Oxford, Baronet, grandmother to the present right honourable Earl of Litchfield, and the daughter of that generous and honourable gentleman, Sir John St. John, of Lyddiard, in the county of Wilts, baronet, whose family was so remarkable for loyalty, that several of his sons willingly offered themselves in the day of battle, and died for it; and, whilst the memory of the English or Irish rebellion lasts, that family cannot want a due

veneration in the minds of any person that loves either God or the King.

As for his education, it was in Wadham College, Oxford, under the care of that wise and excellent governor, Dr. Blandford, the late Bp. of Worcester; there it was that he laid a good foundation of learning and study, though he afterwards built upon that foundation hay and stubble. There he first sucked from the breast of his mother, the University, those perfections of wit, and eloquence, and poetry, which afterwards, by his own corrupt stomach, were turned into poison to himself and others; which certainly can be no more a blemish to those illustrious seminaries of piety and good learning, than a disobedient child is to a wise and virtuous father, or the fall of man to the excellency of Paradise.

A wit he had so rare and fruitful in its invention, and withal so choice and delicate in its judgment, that there is nothing wanting in his composures to give a full answer to that question, What and where wit is? except the purity and choice of subject. For, had such excellent seeds but fallen upon good ground, and, instead of pitching upon a beast or a lust, been raised up on high, to celebrate the mysteries of the Divine Love, in psalms, and hymns, and spiritual songs; I persuade my-

self we might by this time have received from his pen as excellent an idea of divine poetry, under the gospel, useful to the teaching of virtue, especially in this generation, as his profane verses have been to destroy it. And I am confident, had God spared him a longer life, this would have been the whole business of it, as I know it was the vow and purpose of his sickness.

His natural talent was excellent; but he had hugely improved it by learning and industry, being thoroughly acquainted with all the classic authors, both Greek and Latin; a thing very rare, if not peculiar to him, among those of his quality: which yet he used not, as other poets have done, to translate or steal from them; but rather to better and improve them by his own natural fancy. And whoever reads his composures will find all things in them so peculiarly great, new, and excellent, that he will easily pronounce that, though he has lent to many others, yet he has borrowed of none; and that he has been as far from a sordid imitation of those before him, as he will be from being reached by those that follow him.

His other personal accomplishments in all the perfections of a gentleman, for the court or country, whereof he was known of all men

to be a very great master, it is no part of my business to describe or understand; and, whatever they were in themselves, I am sure they were but miserable comforters to him, since they only ministered to his sins, and made his example the more fatal and dangerous; for so we may own, nay, I am obliged by him not to hide, but to show, the rocks which others may avoid, that he was once one of the greatest of sinners.

And truly none but one so great in parts could be so. His sins were like his parts, from which they sprang, all of them high and extraordinary. He seemed to affect something singular and paradoxical in his impieties, as well as in his writings, above the reach and thought of other men; taking as much pains to draw others in, and to pervert the right ways of virtue, as the apostles and primitive saints did to save their own souls and them that heard them. For this was the heightening and amazing circumstance of his sins, that he was so diligent and industrious to recommend and propagate them; not like those of old that hated the light, but those the prophet mentions (Isaiah iii. 9.) "Who declare their sin as Sodom, and hide it not; that take it upon their shoulders, and bind it to them as a crown;" framing arguments for

sin, making proselytes to it, and writing panegyrics upon vice.

Nay, so confirmed was he in sin, that he oftentimes almost died a martyr for it. God was pleased sometimes to punish him with the effects of his folly; yet, till now, he confessed they had no power to melt him into true repentance; or, if at any time he had some lucid intervals from his folly and madness, yet, alas! how short and transitory were they! All that goodness was but as a morning cloud, and as the early dew that vanishes away: he still returned to the same excess of riot; and that with so much the more greediness, the longer he had fasted from it.

And yet, even this desperate sinner, that one would think had made a covenant with death, and was at an agreement with hell, and just upon the brink of them both, God, to magnify the riches of his grace and mercy, was pleased to snatch as a brand out of the fire: as St. Paul, though "before a blasphemer, a persecutor, an injurious, yet obtained mercy, that in him Christ Jesus might show forth all long-suffering, for a pattern to them that should hereafter believe on him, to everlasting life." 1 Tim. i. 13, 16. So God struck him to the ground, as it were by a

light from heaven, and a voice of thunder round about him: insomuch that now the scales fell from his eyes, as they did from St. Paul's, his stony heart was opened, and streams of tears gushed out, the bitter but wholesome tears of true repentance.

And, that this may appear to be so, I think it necessary to account for these two things.

I. For the means of it; that it was not barely the effect of sickness, or the fear of death; but the hand of God also working in them and by them manifestly.

II. For the sincerity of it; which though none but God, that sees the heart, can tell certainly, yet man even also may and ought to believe it; not only in the judgment of charity, but of moral justice, from all evident signs of it which were possible to be given by one in his condition.

And 1st. For the means or method of his repentance. That which prepared the way for it was a sharp and painful sickness, with which God was pleased to visit him; the way which the Almighty often takes to reduce the wandering sinner to the knowledge of God and himself. "I will be unto Ephraim as a lion, and as a young lion unto the house of Judah; I, even I, will tear and go away,

and none shall relieve him; I will go and return to my place, till they acknowledge their offence and seek my face; and in their affliction they will seek me early." Hos. v. 14, 15.

And, though to forsake our sins then, when we can no longer enjoy them, seems to be rather the effect of impotency and necessity than of choice, and so not so acceptable or praise-worthy, yet we find God Almighty often uses the one to bring about the other, and improves a forced abstinence from sin into a settled loathing and a true detestation of it.

It is true, there are such stubborn natures, that, like clay, are rather hardened by the fire of afflictions: ungracious children, that fly in the face of their heavenly Father in the very instant when he is correcting them; or it may be, like those children who promise wonders then, but presently after forget all. Such as these we have described, Psal. lxxviii. 34, 35, 36, 37. "When he slew them, then they sought him, and they returned and inquired early after God; then they remembered that God was their rock, and that the high God was their Redeemer; nevertheless they did but flatter him with their mouth, and lied unto him with their tongues, for their heart was not right with him, neither

continued they steadfast in his covenant." And it is probable this has been the case formerly of this person. But there was an evident difference betwixt the effects of this sickness upon him and many others before. He had other sentiments of things now, (he told me,) and acted upon quite different principles: he was not vexed with it as it was painful, or hindered him from his sins, which he would have rolled under his tongue all the while, and longed again to be at; but he submitted patiently to it, accepting it as the hand of God; and was thankful, blessing and praising God not only in but for his extremities. There was now no cursing, no railing or reproaches to his servants or those about him, which in other sicknesses were their usual entertainment: but he treated them with all the meekness and patience in the world, begging pardon frequently of the meanest of them but for a hasty word, which the extremity of his sickness, and the sharpness of his pain, might easily force from him. His prayers were not so much for ease, or health, or a continuance in life, as for grace, and faith, and perfect resignation to the will of God. So that I think we may not only charitably but justly conclude, that his sickness was not the chief ingredient, but, through

the grace of God, an effectual means, of a true though late repentance, as will best be judged by the marks I am now to give you of the sincerity of it; for which I am in the next place to account.

II. And it was the power of Divine Grace, and of that only, that broke through all those obstacles that usually attend a man in his circumstances; that God, who is a God of infinite compassion and forbearance, allowed him leisure and opportunity for repentance; that he awakened him from his spiritual slumber by a pungent sickness; that he gave him such a presence of mind, as both to provide prudently for his worldly affairs, and yet not to be distracted or diverted by them from the thoughts of a better world; that lengthened out his day of grace, and accompanied the ordinary means of salvation, and weak ministry of his word, with the convincing and overruling power of his Spirit to his conscience; which word of God came to him quick and powerful, sharper than a two-edged sword, piercing even to the dividing asunder of his soul and spirit; and at last the Spirit of God witnessed to his spirit that now he was become one of the children of God.

Now, if the thief upon the cross, an instance too much abused, was therefore ac-

cepted, because accompanied with all the effects of a sincere convert which his condition was capable of; as confession of Christ's divinity in the midst of the blasphemies of pharisees and his own lewd companion, and desertion of even Christ's disciples; if his repentance be therefore judged real, because he seems to be more concerned in the remembrance of Christ's future kingdom than his own death; if St. Paul was approved by the same more abundant labours which he commended in the Corinthians, "Yea, what zeal! what fear! what vehement desire!" 2 Cor. vii. 11. I think I shall make it appear, that the repentance of this person was accompanied with the like hopeful symptoms: and I am so sensible of that awful presence both of God and man, before whom I speak, who are easily able to discover my failings, that I shall not deliver any thing but what I know to be a strict and religious truth.

Upon my first visit to him, May 26, just at his return from his journey out of the West, he most gladly received me, showed me extraordinary respects upon the score of mine office, thanked God who had in mercy and good providence sent me to him who so much needed my prayers and counsels; and acknow-

ledged how unworthily heretofore he had treated that order of men, reproaching them that they were proud, and prophesied only for rewards; but now he had learned how to value them; that he esteemed them the servants of the most high God, who were to show to him the way to everlasting life.

At the same time I found him labouring under strange trouble and conflicts of mind, his spirit wounded, and his conscience full of terrors. Upon his journey, he told me, he had been arguing with greater vigour against God and religion than ever he had done in his lifetime before, and that he was resolved to run them down with all the arguments and spite in the world; but, like the great convert, St. Paul, he found it hard to kick against the pricks; for God, at that time, had so struck his heart by his immediate hand, that presently he argued as strongly for God and virtue as before he had done against it; that God strangely opened his heart, creating in his mind most awful and tremendous thoughts and ideas of the Divine Majesty, with a delightful contemplation of the Divine nature and attributes, and of the loveliness of religion and virtue. I never, said he, was advanced thus far towards happiness in my life before, though, upon the commission of

some sins extraordinary, I have had some checks and warnings considerable from within, but still struggled with them, and so wore them off again. The most observable that I remember was this: one day, at an atheistical meeting at a person of quality's, I undertook to manage the cause, and was the principal disputant against God and piety, and for my performances received the applause of the whole company; upon which my mind was terribly struck, and I immediately replied thus to myself:—Good God! that a man that walks upright, that sees the wonderful works of God, and has the use of his senses and reason, should use them to the defying of his Creator! But, though this was a good beginning towards my conversion, to find my conscience touched for my sins, yet it went off again; nay, all my life long, I had a secret value and reverence for an honest man, and loved morality in others. But I had formed an odd scheme of religion to myself, which would solve all that God or conscience might force upon me; yet I was not ever well reconciled to the business of Christianity, nor had that reverence for the gospel of Christ as I ought to have.—Which estate of mind continued till the fifty-third chapter of Isaiah was read to him, wherein there is a lively

description of the sufferings of our Saviour, and the benefits thereof, and some other portions of scripture; by the power and efficacy of which word, assisted by his Holy Spirit, God so wrought upon his heart, that he declared that the mysteries of the passion appeared as clear and plain to him as ever any thing did that was represented in a glass; so that that joy and admiration, which possessed his soul upon the reading of God's word to him, was remarkable to all about him; and he had so much delight in his testimonies, that, in my absence, he begged his mother and lady to read the same to him frequently, and was unsatisfied, notwithstanding his great pain and weakness, till he had learned the fifty-third chapter of Isaiah without book.

At the same time, discoursing of his manner of life from his youth up, and which all men knew was too much devoted to the service of sin, and that the lusts of the flesh, of the eye, and the pride of life, had captivated him; he was very large and particular in his acknowledgments about it, more ready to accuse himself than I or any one else can be; publicly crying out, "O blessed God, can such a horrid creature as I am be accepted by thee, who has denied thy being, and contemned thy

power?" Asking often, "Can there be mercy and pardon for me? Will God own such a wretch as I?" and in the middle of his sickness said, "Shall the unspeakable joys of heaven be conferred on me? O mighty Saviour! never, but through thine infinite love and satisfaction! Oh never, but by the purchase of thy blood!" adding, that with all abhorrency he did reflect upon his former life; that sincerely, and from his heart, he did repent of all that folly and madness which he had committed.

Indeed, he had a true and lively sense of God's great mercy to him, in striking his hard heart, and laying his conscience open, which hitherto was deaf to all God's calls and methods: saying, if that God, who died for great as well as less sinners, did not speedily apply his infinite merits to his poor soul, his wound was such as no man could conceive or bear; crying out, that he was the vilest wretch and dog that the sun shined upon, or the earth bore; that he now saw his error, in not living up to that reason which God endued him with, and which he unworthily vilified and contemned; wished he had been a starving leper crawling in a ditch; that he had been a link-boy or a beggar; or for his whole life

confined to a dungeon, rather than thus to to have sinned against God.

How remarkable was his faith, in a hearty embracing and devout confession of all the articles of our Christian religion, and all the divine mysteries of the gospel! saying, that that absurd and foolish philosophy, which the world so much admired, propagated by the late Mr. Hobbes and others, had undone him and many more of the best parts of the nation; who, without God's great mercy to them, may never, I believe, attain to such a repentance.

I must not omit to mention—His faithful adherence to, and casting himself entirely upon, the mercies of Jesus Christ, and the free grace of God declared to repenting sinners through him; with a thankful remembrance of his life, death, and resurrection; begging God to strengthen his faith, and often crying out, "Lord, I believe; help thou mine unbelief."

His mighty love and esteem of the Holy Scriptures, his resolutions to read them frequently and meditate upon them, if God should spare him, having already tasted the good word; for, having spoken to his heart, he acknowledged all the seeming absurdities and contradictions thereof, fancied by men of corrupt and reprobate judgments, were vanish-

ed; and the excellency and beauty appeared, being come to receive the truth in the love of it.

His extraordinary fervent devotions in his frequent prayers of his own, most excellent and correct; amongst the rest, for the king, in such a manner as became a dutiful subject and a truly grateful servant; for the church and nation, for some particular relations, and then for all men; his calling frequently upon me at all hours to pray with him or read the Scriptures to him; and toward the end of his sickness, he would heartily desire God to pardon his infirmities, if he should not be so wakeful and intent through the whole duty as he wished to be; and that, though the flesh was weak, yet the spirit was willing, and he hoped God would accept that.

His continual invocation of God's grace and Holy Spirit to sustain him, to keep him from all evil thoughts, from all temptations and diabolical suggestions, and every thing which might be prejudicial to that religious temper of mind which God had now so happily endued him withal; crying out, one night especially, how terribly the tempter did assault him, by casting upon him lewd and wicked imaginations! But I thank God, said he, I abhor them all by the power of his grace,

which I am sure is sufficient for me; I have overcome them: it is the malice of the devil, because I am rescued from him; and the goodness of God that frees me from all my spiritual enemies.

His great joy at his lady's conversion from popery to the church of England, being, as he termed it, a faction supported only by fraud and cruelty, which was by her done with deliberation and mature judgment; the dark mists of which have for some months before been breaking away, but now cleared by her receiving the blessed sacrament with her dying husband, at the receiving of which no man could express more joy and devotion than he did; and having handled the word of life, and seen the salvation of God, in the preparation of his mind, he was now ready to depart in peace.

His hearty concern for the pious education of his children, wishing that his son might never be a wit, that is, as he himself explained it, one of those wretched creatures who pride themselves in abusing God and religion, denying his being or his providence; but that he might become an honest and religious man, which could only be the support and blessing of his family, complaining what a vicious and naughty world they were brought

into, and that no fortunes or honours were comparable to the love and favour of God to them, in whose name he blessed them, prayed for them, and committed them to his protection.

His strict charge to those persons in whose custody his papers were, to burn all his profane and lewd writings, as being only fit to promote vice and immorality, by which he had so highly offended God, and shamed and blasphemed that holy religion into which he had been baptized; and all his obscene and filthy pictures, which were so notoriously scandalous.

His readiness to make restitution, to the utmost of his power, to all persons whom he had injured; and for those whom he could not make a compensation to, he prayed for God's and their pardons. His remarkable justice in taking all possible care for the payment of his debts, which before he confessed he had not so fairly and effectually done.

His readiness to forgive all injuries done against him; some, more particularly mentioned, which were great and provoking; nay, annexing thereto all the assurance of a future friendship, and hoping he should be as freely forgiven at the hand of God.

How tender and concerned was he for his

servants about him in his extremities, manifested by the beneficence of his will to them, pitying their troubles in watching with him and attending him, treating them with candour and kindness, as if they had been his intimates!

How hearty were his endeavours to be serviceable to those about him, exhorting them to the fear and love of God, and to make a good use of his forbearance and long-suffering to sinners, which should lead them to repentance! And here I must not pass by his pious and most passionate exclamation to a gentleman of some character, who came to visit him upon his death-bed: "Oh remember that you contemn God no more! He is an avenging God, and will visit you for your sins. He will, in mercy, I hope, touch your conscience, sooner or later, as he has done mine. You and I have been friends and sinners together a great while, therefore I am the more free with you. We have been all mistaken in our conceits and opinions, our persuasions have been false and groundless; therefore God grant you repentance." And seeing him the next day again, he said to him, "Perhaps you were disobliged by my plainness to you yesterday; I spake the words of truth and soberness to you, and," striking

his hand upon his breast said, " I hope God will touch your heart."

Likewise his commands to me to preach abroad, and to let all men know, if they knew it not already, how severely God had disciplined him for his sins by his afflicting hand; that his sufferings were most just, though he had laid ten thousand times more upon him; how he had laid one stripe upon another because of his grievous provocations, till he had brought him home to himself; that, in his former visitations, he had not that blessed effect he was now sensible of. He had formerly some loose thoughts and slight resolutions of reforming, and designed to be better, because even the present consequences of sin were still pestering him, and were so troublesome and inconvenient to him; but that now he had other sentiments of things, and acted upon other principles.

His willingness to die, if it pleased God, resigning himself always to the Divine disposal; but if God should spare him yet a longer time here, he hoped to bring glory to the name of God in the whole course of his life, and particularly by his endeavours to convince others, and to assure them of the danger of their condition, if they continued im-

penitent, and how graciously God had dealt with him.

His great sense of his obligations to those excellent men, the right reverend my Lord Bishop of Oxford Dr. Fell, and Dr. Marshall, for their charitable and frequent visits to him, and prayers with him; and Dr. Burnet, who came on purpose from London to see him; who were all very serviceable to his repentance.

His extraordinary duty and reverence to his mother, with all the grateful respects to her imaginable, and kindness to his good lady beyond expression, which may well enhance such a loss to them, and to his children, obliging them with all the endearments that a good husband or a tender father could bestow.

To conclude these remarks, I shall only read to you his dying remonstrance, sufficiently attested and signed by his own hand, as his truest sense, which I hope may be useful for that good end he designed it, in manner and form following.

"For the benefit of all those whom I may have drawn into sin by my example and encouragement, I leave to the world this my

last declaration, which I deliver in the presence of the great God, who knows the secrets of all hearts, and before whom I am now appearing to be judged.

"That, from the bottom of my soul, I detest and abhor the whole course of my former wicked life; that I think I can never sufficiently admire the goodness of God, who has given me a true sense of my pernicious opinions and vile practices, by which I have hitherto lived without hope and without God in the world; have been an open enemy to Jesus Christ, doing the utmost despite to the Holy Spirit of Grace. And that the greatest testimony of my charity to such is, to warn them, in the name of God, and as they regard the welfare of their immortal souls, no more to deny his being or his providence, or despise his goodness; no more to make a mock of sin, or contemn the pure and excellent religion of my ever blessed Redeemer, through whose merits alone, I, one of the greatest sinners, do yet hope for mercy and forgiveness. Amen.

"Declared and signed in the presence of

"ANNE ROCHESTER,

"ROBERT PARSONS.

"June 19, 1680. "J. ROCHESTER."

And now I cannot but mention with joy and admiration, that steady temper of mind which he enjoyed through the whole course of his sickness and repentance; which must proceed, not from a hurry and perturbation of mind or body, arising from the fear of death or dread of hell only, but from an ingenuous love to God, and an uniform regard to virtue, suitable to that solemn declaration of his, "I would not commit the least sin to gain a kingdom," with all possible symptoms of a lasting perseverance in it, if God should have restored him. To which may be added, his comfortable persuasions of God's accepting him to his mercy, saying, three or four days before his death, "I shall die, but oh, what unspeakable glories do I see! what joys, beyond thought or expression, am I sensible of! I am assured of God's mercy to me through Jesus Christ. Oh how I long to die and be with my Saviour!"

The time of his sickness and repentance was just nine weeks; in all which time he was so much master of his reason, and had so clear an understanding, saving thirty hours, about the middle of it, in which he was delirious, that he had never dictated or spoken more composed in his life: and therefore, if any shall continue to say his piety was the

effect of madness or vapours, let me tell them, it is highly disingenuous, and that the assertion is as silly as it is wicked. And, moreover, that the force of what I have delivered may not be evaded by wicked men, who are resolved to harden their hearts, maugre all convictions, by saying, this was done in a corner; I appeal for the truth thereof, to all sorts of persons who, in considerable numbers, visited and attended him, and more particularly to those eminent physicians who were near him, and conversant with him in the whole course of his tedious sickness; and who, if any, are competent judges of a phrensy or delirium.

There are many more excellent things which in my absence have occasionally dropped from his mouth, that will not come within the narrow compass of a sermon; these, I hope, will sufficiently prove what I produce them for. And, if any shall be still unsatisfied here in this hard-hearted generation, it matters not, let them at their cost be unbelievers still, so long as this excellent penitent enjoys the comfort of his repentance. And now, from all these admirable signs, we have great reason to believe comfortably, that his repentance was real, and his end happy; and accordingly imitate the neighbours and cousins

of Elizabeth, (Luke i. 58.) who, when they heard how the Lord had showed great mercy upon her, came and rejoiced with her.

Thus his dear mother should rejoice, that the son of her love and of her fears, as well as of her bowels, is now born again into a better world; adopted by his Heavenly Father, and gone before her to take possession of an eternal inheritance.

II. His truly loving consort should rejoice, that God has been so gracious to them both, as at the same time to give him a sight of his errors in point of practice, and herself (not altogether without his means and endeavours) a sight of her's in point of faith. And truly, considering the great prejudices and dangers of the Roman religion, I think I may aver, that there is joy in heaven, and should be on earth, for her conversion as well as his.

III. His noble and most hopeful issue should rejoice as their years are capable; not that a dear and loving father has left them, but that, since he must leave them, he has left them the example of a penitent, and not of a sinner; the blessing of a saint, in recommending them to an all-sufficient Father, and not entailing on them the fatal curse that attends the posterity of the wicked and impenitent.

IV. All good men should rejoice to see the triumphs of the cross in these latter days, and the words of Divine Wisdom and Power. And bad men certainly, whenever they consider it, are most of all concerned to joy and rejoice in it, as a condemned malefactor is to hear that a fellow-criminal has got his pardon, and that he may do so too if he speedily sue for it.

And this joy of all will still be the greater, if we compare it with the joy there is in heaven in the case of just persons that need no repentance, viz. that need not such a solemn extraordinary repentance, or the whole change of heart and mind, as great sinners do: and of this my text pronounces, that there is "greater joy in heaven over one such sinner, that truly repenteth, than there is over ninety and nine just persons that need not such repentance." One reason of which we may conceive to be this: that such a penitent's former failings are ordinarily the occasion of a greater and more active piety afterwards; as our convert earnestly wished that God would be pleased to spare him but one year more, that in that he might honour his name proportionably to the dishonour done to God in his whole life past. And we see St. Paul laboured more abundantly than all the apostles in the

planting of the church, because he had raged furiously before in the destruction of it; and our Saviour himself tells us, "that to whom much is forgiven, they will love much; but to whom little is forgiven, they will love little."

It is certainly the more safe, indeed the only safe way, to be constantly virtuous; and he that is wise indeed, i. e. wise unto salvation, will endeavour to be one of those that need no repentance; I mean, that entire and whole work of beginning anew: but will draw out the same thread through his whole life, and let not the sun go down upon any of his sins: but then the other repentance is more remarkable, and, where it is real, the more effectual, to produce a fervent and a fruitful piety; besides the greater glory to God in the influence of the example. Which may probably be a farther reason of the excessive joy of the angels at the conversion of such a sinner; because they, who are better acquainted with human nature than we, knowing it apt, like the Pharisees, to demand a sign from heaven for the reformation of corrupted customs, discern likewise, that such desperate spiritual recoveries will seem so many openings of the heavens in the descent of the Holy Dove, visible to the standers by, and accord-

ingly will have the greater influence upon them. And it is this, in the last place, that I am to recommend to all that hear me this day.

And, having thus discharged the office of an historian, in a faithful representation of the repentance and conversion of this great sinner, give me leave now to bespeak you as an ambassador of Christ, and, in his name, earnestly persuade you to be reconciled to him, and to follow this illustrious person, not in his sins any more, but in his sorrows for them, and his forsaking them. If there be any in this place, or elsewhere, who have been drawn into a complacency or practice of any kind of sin from his example, let those especially be persuaded to break off their sins by repentance, by the same example; that as he has been for the fall, so he may now be for the rising again, of many in Israel. God knows there are too many that are wise enough to discern and follow the examples of evil, but to do good from those examples they have no power; like those absurd flatterers we read of, who could imitate Plato in his crookedness, Aristotle in his stammering, and Alexander the Great in the bending of his neck and the shrillness of his voice, but either could not, or would not, imitate them in any

of their perfections. Such as these I would beseech, in their cooler seasons, to ask themselves that question, "What fruit had you in those things whereof you now are ashamed, for the end of these things is death?" And if any encourage themselves in their wickedness from this example, resolving however to enjoy the good things that are present, to fill themselves with costly wines, and to let no part of pleasure pass by them untasted, supposing, with the gospel rich man, that when one comes to them from the dead, when sickness or old age approaches, that then they will repent; let such as these consider the dreadful hazard they run by such pernicious counsels. It may be, and it is but just with God it should be, that, whilst they are making provision for the flesh to fulfil the lusts thereof, and are saying to their souls, Soul, thou hast much goods laid up for many years, therefore take thine ease, eat, drink, and be merry; perhaps just then at the same time the hand of God may be writing, upon the walls of their habitations, that fatal sentence, "Thou fool, this night shall thy soul be required of thee, and then whose shall all those things be which thou hast promised?" And what sad reflections must such a one need make upon his own folly, when he sees

all that mirth and ease, which he has promised himself for so many years, must be at an end in a very few hours? And not only so, but that mirth turned into howlings, and that ease into a bed of flames; when the soul must be torn away on a sudden from the things it loved, and go where it will hate to live, and yet cannot die. And were it not better for us to embrace cordially the things which belong to our everlasting peace, before they are hid from our eyes? Were it not better for us all to be wise betimes, by preventing such a danger, than to open our eyes, as the unhappy rich man did, when we are in a place of torment?—Be persuaded then, with humble, penitent, and obedient hearts, to meet the blessed Jesus, who is now on the way, and comes to us in the person and in the bowels of a Saviour, wooing us to accept those easy conditions of pardon and peace offered in his holy gospel, rather than to stay till he become our adversary, and our judge too, when he will deliver us over to the tormentors, till we have paid the utmost farthing; i. e. to all eternity: when those, who have made a mock at sin all their lives, and laughed at the pretended cheats of religion and its priests, shall find themselves at last the greatest fools, and the most sadly cheated in the

world: for God will then "laugh at their calamity, and mock when their fear cometh, when it cometh as desolation, and their destruction as a whirlwind." And since they would not suffer his mercy to rejoice over his justice, nor cause any joy in heaven, as the text mentions, in their conversion, his justice will certainly rejoice over his mercy, and cause joy in heaven, as it did at the fall of Babylon, which would not be cured,* in their confusion. And, oh! that there was such a heart in them, that they would consider this betimes! that, in the midst of their carnal jollities, they would but vouchsafe one regard what may happen hereafter, and what will certainly be the end of these things! For however the fruits of sin may seem pleasant to the eye, and to be desired to make one seem wise and witty to the world, yet, alas! they are but empty and unsatisfactory at present, and leave a mortal sting behind them, and bitterness in the latter end: like the book St. John eat,† "which in his mouth was sweet as honey, but, as soon as he had eat it, his belly was bitter." And that God should please at last to bring men back in their old age from their sinful courses, by a way of weeping, to pluck them as firebrands

* Rev. xix. 1. † Rev. x. 10.

out of everlasting burnings! Yet if men consider how rare and difficult a thing it is to be born again when one is old; how many pangs and violences to nature there must needs be to put off the habits and inclinations to old sins, as difficult, saith the prophet, as for the leopard to change his spots, or the Æthiopian his skin; and then, when that is done, what scars and weaknesses even a cure must leave behind:— I say, he that duly considers this, will think it better to secure his salvation, and all his present true comforts, by preserving his innocency, or alleviating his work by a daily repentance for lesser failings, than to venture upon one single chance of a death-bed repentance; which is no more to be depended upon, for the performance or acceptance, than it can encourage any man not to labour, because Elias was fed by ravens, or the Israelites with manna from heaven.

If then there be any, though, alas! that need not be asked, that have made the greatness of their wit, or birth, or fortune, instruments of iniquity to iniquity; let them now convert them to that original noble use for which God intended them, namely, to be instruments of righteousness unto holiness.

To these especially that are thus great, not

only God, but this great person also, by my mouth, being dead yet speaketh; for as St. Paul seemed more especially concerned for his brethren and kinsmen according to the flesh; and even the rich man in hell, though sufficiently distracted by his own sufferings, yet seems hugely desirous that one might be sent from the dead to his brethren, that he might testify unto them, lest they also come into that place of torment; so this illustrious convert, after God had opened his eyes to see his follies, was more especially desirous of the salvation of those that were his brethren, though not in the flesh, yet in the greatness of their quality and of their sins; passionately wishing, that all such were not only almost, but altogether, such as he now was, having his bodily afflictions; and of great force, methinks, should the admonitions of a dying friend be.

Now these especially I would beseech, as the minister of Christ, and such as, though we are reviled, we bless; though we are defamed, we entreat; to suffer the word of exhortation, that they would not terminate their eyes upon the outward pomp and pageantry that attend them, as the vulgar Jews did upon their rites and ceremonies; but, as the

wiser Israelites, who esteemed those glittering formalities as the types and images of heavenly things, be quickened by them to the ambition of original honours and future glory. How much were it to be wished, that such persons especially would be followers of God and goodness, since, whether they will or not, other men will be followers of them.

It is true, the temptations of great persons are more and greater than those of inferiors; but then their abilities and understandings are ordinarily greater too; and, if they lie more open to the assaults of the devil, they have generally greater sagacity to foresee the danger, and more powerful assistance to go through it. Nor is piety inconsistent with greatness any more than it is with policy, but is the best foundation and security both to the one and the other. The breeding of Moses at court, without doubt, contributed much even to his religious performances, at least so far as to make them more useful and exemplary to others; but then he was sincerely virtuous all the while, as well whilst reputed the son of Pharaoh's daughter as when Jethro's son-in-law.

We find Christians in Cæsar's household as soon as any where else in Rome; and, when

Christianity had once gained Constantine, it spread itself farther over the empire in a few years than before it had done in some centuries. Since then so much good or mischief depends upon illustrious examples, will it not better become men to draw the multitude after them to heaven by their piety, than by infectious guilts be at the head of a miserable company of the damned?

It is this piety, a timely and exemplary piety, that will perpetuate, to men of birth and fortunes, their honours, and their estates too, as well by deriving on them the blessing of God, who is the true fountain of honour, as by creating an awe and reverence for them from all orders of men, even to many generations; a reverence which will be fresh and lasting, when all the trophies of wit and gaiety are laid in the dust. It is this piety that will be the guide of their youth, and the comfort of their age, for length of days is in her right hand, and in her left hand riches and honour. It is this, and this only, that can make all outward blessings comfortable, indeed blessings to us, by making them the steps and means of attaining the never-fading honours and incomprehensible glories of that kingdom which is above, where there shall

be no sin, nor sickness, nor pain, nor tears, nor death, but we shall rest from all our labours, and our works shall follow us: unto which God of his infinite mercy bring us, for the merits and mediation of Jesus Christ our Saviour, to whom, with the Father and Holy Spirit, let us ascribe all praise and adoration, now and for ever. Amen!

THE END.

LONDON:
PRINTED BY S. AND R. BENTLEY,
Dorset Street, Fleet Street.

00025982

Digitized with financial assistance from the
Government of Maharashtra
on 04 February, 2016